Vol. XVII.—No. 4.

WEST BENGAL LEGISLATIVE ASSEMBLY
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# Council Proceedings

## Official Report

# Bengal Legislative Council

## Seventeenth Session, 1925

**17th to 21st and 23rd to 26th March, 1925**

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# GOVERNMENT OF BENGAL.

## GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble VICTOR ALEXANDER GEORGE ROBERT BULWER-LYTTON, Earl of Lytton, P.C., G.C.I.E.

## MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir ABD-UR-RAHIM, Kt., Vice-President, in charge of the following portfolios:—

1. Judicial.
2. Emigration.
3. Immigration.
4. Jurisdiction.
5. Legislative.
6. Haj Pilgrimage.

The Hon'ble Sir HUGH STEPHENSON, K.C.I.E., C.S.I., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political (excluding Haj Pilgrimage).
3. Police.
4. Jails.
5. Ecclesiastical.

The Hon'ble Mr. J. DONALD, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Reserved [illegible].
4. Marine.
5. European Education.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Forests.
4. Irrigation.
5. Excluded Areas.

## MINISTERS.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khs Bahadur, C.I.E., in charge of the following portfolios:—

1. Agriculture and Industries.
2. Education.

The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh, i charge of the following portfolios:—

1. Local Self-Government.
2. Medical.
3. Excise.
4. Public Works.

## PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Sir EVAN COTTON, KT., C.I.E.

DEPUTY PRESIDENT.

DR. ABDULLA AL-MAMUN SUHRAWARDY.

---

**Panel of Chairmen for the Seventeenth Session.**

Kumar SHIB SHEKHARESWAR RAY.
Babu JATINDRA NATH BASU.
Maulvi EKRAMUL HUQ.
MR. EDWARD VILLIERS.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. DE C. WILLIAMS, I.C.S., A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. MCKAY.

# BENGAL LEGISLATIVE COUNCIL.

## ALPHABETICAL LIST OF MEMBERS.

### A

Abbot, Mr. E. G. (Indian Jute Mills Association.)
Addams-Williams, Mr. C., C.I.E. (Nominated Official.)
Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Ahamad, Maulvi Asimuddin. [Tippera (Muhammadan).]
Ahmed, Maulvi Najmuddin [Hooghly *cum* Howrah Municipal (Muhammadan)]
Ahmed, Maulvi Tayebuddin. [Mymensingh East (Muhammadan).]
Ahmed, Maulvi Zannoor [Burdwan Division South (Muhammadan).]
Aley, Khan Bahadur S Mahboob [Calcutta North (Muhammadan).]
Ali, Maulvi Sayyed Sultan [Khulna (Muhammadan).]
Ali, Mr Altaf [Mymensingh East (Muhammadan).]

### B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader [Dinajpur (Muhammadan).]
Band, Mr. R. N. (Indian Jute Mills Association.)
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Satya Kishore (Burdwan Landholders.)
Banerjee, Mr A. C. [Calcutta South Central (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. (Nominated Non-official.)
Barma, Rai Sahib Panchanan, M B.E. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath [Calcutta North (Non-Muhammadan)]
Basu, Babu Sarat Chandra [Burdwan (Non-Muhammadan).]
Beg, Khan Bahadur Mirza Shujaat Ali [24-Parganas Municipal (Muhammadan).]
Best, the Hon'ble S. J. (Indian Tea Association)
Birley, Mr L., C.I.E. (Nominated Official.)
Bose, Babu Bejoy Krishna (Calcutta University.)
Browne, Mr P. H., C.B.E. (Bengal Chamber of Commerce.)

### C

Campbell, Mr. K. (Bengal Chamber of Commerce.)
Chakravarti, Mr. Byomkes. [24-Parganas Rural South (Non-Muhammadan).]
Chakravorti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chakravorty, Babu Sudarsan. [Rajshahi (Non-Muhammadan).]
Chatterjee, Babu Umes Chandra. [Bankura East (Non-Muham-

Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E. [Dacca West Rural (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhury, Maulvi Md. Nurul Huq. [Chittagong (Muhammadan).]
Chaudhury, Maulvi Saiyed Abdur Rob. [Faridpur South (Muhammadan).]
Choinuddin, Khan Bahadur Maulvi Md. [Rajshahi North (Muhammadan).]
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Chunder, Mr. Nirmal Chandra. [Calcutta North Central (Non-Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)
Corcoran, Mr. B. J. [Dacca and Chittagong (European).]

**D**

Das, Babu Charu Chandra. (Nominated Non-official.)
Das, Dr. Mohini Mohan. [Faridpur South (Non-Muhammadan).]
Das, Mr. C. R. [Midnapore South (Non-Muhammadan).]
Das Gupta, Dr. J. M. [Bogra *cum* Pabna (Non-Muhammadan).]
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Daud, Mr. M. (Nominated Non-official.)
De, Mr. K. C., C.I.E. (Nominated Official.)
Dey, Babu Boroda Prosad. [Hooghly Municipal (Non-Muhammadan).]
Dey, Mr. G. G. (Nominated Official.)
Donald, the Hon'ble Mr. J., C.S.I., C.I.E. (Member, Executive Council.)
Doss, Rai Bahadur Pyari Lal, M.B.E. [Dacca City (Non-Muhammadan).]
Dutt, Mr. G. S. (Nominated Official.)

**E**

Eddis, Mr. B. E. G. (Bengal Chamber of Commerce.)

**F**

Faroqui, Khan Bahadur, K. G. M. (Nominated Non-official.)
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

**G**

Gafur, Maulvi Abdul. [Pabna (Muhammadan).]
Ganguly, Babu Khagendra Nath. [Howrah Muncipal (Non-Muhammadan).]
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan. [Mymensingh West (Muhammadan).]
Goenka, Rai Bahadur Badridas. (Bengal Marwari Association.)
Goode, Mr. S. W. (Nominated Official.)

Guha, Mr. P. N. (Nominated Non-official.)
Gurner, Mr. C. W. (Nominated Official.)

H

Haldar, Mr. S. N. [Calcutta South (Non-Muhammadan).]
Haq, Khan Bahadur Kazi Zahirul. [Dacca East Rural (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Hopkyns, Mr. W. S., O.B.E. (Nominated Official.)
Hoque, Maulvi Sayedal. [Noakhali (Muhammadan).]
Hossain, Khan Bahadur Maulvi Musharruf. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Wahed. [Barrackpore Municipal (Muhammadan).]
Huq, Maulvi A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Huq, Maulvi Ekramul [Murshidabad (Muhammadan).]

J

James, Mr. F. E. [Presidency and Burdwan (European).]
Jennaway, Mr. J. H. (Indian Mining Association.)
Joardar, Maulvi Aftab Hossain [Nadia (Muhammadan).]

K

Khaitan, Babu Debi Prosad (Nominated Non-official.)
Khan, Babu Debendra Lal [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Abdur Rashid [Noakhali (Muhammadan).]
Khan, Maulvi Amanat [Chittagong (Muhammadan).]
Khan, Maulvi Mahi Uddin [Rangpur East (Muhammadan).]

L

Lal Mahammed, Haji. [Rajshahi South (Muhammadan).]
Law, Raja Reshee Case, C.I.E. (Bengal National Chamber of Commerce.)
Liddell, Mr. H. C. (Nominated Official.)

M

Mahammad, Maulvi Basar. [Rangpur West (Muhammadan).]
Maity, Babu Mahendra Nath. [Midnapore South (Non-Muhammadan).]
Masih, Mr. Syed M. [Faridpur North (Muhammadan).]
Mitra, Babu Jogendra Nath. [Jessore South (Non-Muhammadan).]
Mitra, Babu Satyendra Chandra. [Noakhali (Non-Muhammadan).]
Mitter, Sir Provash Chunder, Kt., C.I.E. (Presidency Landholders.)
Moreno, Dr. H. W. B. (Anglo-Indian.)
Morgan, Mr. G. (Bengal Chamber of Commerce.)

Mukerjea, Babu Taraknath. [*Hooghly Rural (Non-Muhammadan).*]
Mukerji, Mr. S. C. (Nominated Non-official.)

**N**

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nazimuddin, Khaje. [Bakarganj South (Muhammadan).]
Neogi, Babu Manmohon. [Mymensingh West (Non-Muhammadan).]

**O**

Oaten, Mr. E. F. (Nominated Official.)

**P**

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Parrott, Mr. P. (Bengal Chamber of Commerce.)
Phelps, Mr. T J. (Calcutta Trades Association )

**Q**

Quader, Maulvi Abdul. [Jessore South (Muhammadan).]

**R**

Rahim, the Hon'ble Sir Abd-ur., Kt. (Member, Executive Council.)
Rahman, Mr. A. F. (Dacca University.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Ray, Babu Abanish Chandra. [Birbhum (Non-Muhammadan).]
Ray, Babu Anilbaran. [Bankura West (Non-Muhammadan).]
Ray, Babu Nagendra Narayan. [Rangpur (Non-Muhammadan).]
Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia, (Member, Executive Council.)
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath. (Dacca Landholders.)
Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Satcowripati. [Calcutta North-West (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. D. N. [Jessore North (Non-Muhammadan).]

loy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
loy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
loy, Raja Manilall Singh, C.I.E. [Burdwan (Non-Muhammadan).]
loy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]
loy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

S

alam, Khan Bahadur Maulvi Abdus. [Jessore North (Muhammadan).]
arkar, Babu Hemanta Kumar. [Nadia (Non-Muhammadan).]
arkar, Maulvi Allah Buksh. [Dacca City (Muhammadan).]
arker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]
en, Mr. N. C. [Bakarganj North (Non-Muhammadan).]
n Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
ngha, Mr. Arun Chandra. (Chittagong Landholders.)
kinner, Mr. S. A. (Bengal Chamber of Commerce.)
ephenson, the Hon'ble Sir Hugh, K.C.I.E., C.S.I. (Member, Executive Council.)
hrawardy, Dr. A. [24-Parganas Rural (Muhammadan).]
hrawardy, Mr. Huseyn Shaheed. [Calcutta South (Muhammadan).]
van, Mr. J. A. L., C.I.E. (Nominated Official.)

T

arafdar, Maulvi Rajib Uddin. [Bogra (Muhammadan).]
ravers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

V

illiers, Mr. Edward. [Presidency and Burdwan (European).]

W

Wilson, Lt.-Col. R. P., F.R.C.S., D.P.H., V.H.S., I.M.S. (Nominated Official.)
Woodhead, Mr. J. A. (Nominated Official.)

Y

Yasin, Maulvi Muhammad. [Burdwan Division North (Muhammadan).]

# THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

## (Official Report of the Seventeenth Session.)

VOLUME XVII.—No. 4.

### Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 17th March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 119 nominated and elected members.

### Oath or Affirmation.

The following members made an oath or affirmation of their allegiance to the Crown

The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI.

Mr. P. PARROTT.

Mr. J. H. JENNAWAY

Mr. E. G. ABBOTT.

Mr. P. H. BROWNE, C.B.E.

Mr. K. CAMPBELL.

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** Order, order! I am sure members of this Council will be pleased to welcome Mr. C. R. Das back after his recent illness. I hope he has quite recovered his health and will be able to take part in the debates with his usual vigour.

**Mr. C. R. DAS:** I thank you, Sir, very much for your kind remarks.

**Starred Questions**

**(to which oral answers were given).**

**Bakarganj Court of Wards.**

***XXXIX. Maulvi FAZLAL KARIM CHOWDHURY:** (*a*) Will the Hon'ble the Member in charge of the Department of Land Revenue be pleased to state whether any pensioner was appointed as Manager under the Court of Wards in Bakarganj district in 1923?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state whether the post was advertised?

(*c*) If so, when was it advertised?

(*d*) Were there any Muhammadan candidates for the post?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Member be pleased to state the reason for the exclusion of the Muhammadan candidates from such post?

**MEMBER in charge of DEPARTMENT of LAND REVENUE (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia):** (*a*) Yes

(*b*) No.

(*c*) This does not arise.

(*d*) Yes.

(*e*) The person appointed was much better qualified

**Political prisoners.**

***XL. Dr. J. M. DAS GUPTA:** Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a list showing --

(*i*) the names of the political prisoners of Bengal who are now imprisoned in the various jails of India and Burma;

(*ii*) the social standing and the average income of each before his arrest;

(*iii*) the monetary help the Government are allowing for the maintenance of their respective families; and

(*iv*) the names of the jails in which they are imprisoned?

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*i*), (*ii*), (*iii*) and (*iv*) The member is referred to the statement laid on the table in reply to starred question No. VI on the 7th January, 1925. Government are not prepared to give the rest of the information asked for.

### Work of the District Judges.

***XLI. Babu BORODA PROSAD DEY:** With reference to the reply given to clause (*b*) of starred question No. XVIII put by me on the 18th February, 1925, is the Hon'ble the Member in charge of the Judicial Department prepared to ask the High Court to send any notes they have got with regard to these officers for presentation to this Council?

**MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim):** No.

**Babu BORODA PROSAD DEY:** May I ask the Hon'ble the Member to state the reasons for not complying with the request in such an important matter?

**The Hon'ble Sir ABD-UR RAHIM:** The reason is that it would not be in the public interest to ask the High Court to send these notes to be placed before the Council.

### House-searches at Dacca.

***XLII. Mr. J. M. SEN GUPTA:** With reference to the reply given to starred question No. XXVII (*re*) and (*r*) put by Mr. S. N. Haldar on the 18th February, 1925, will the Hon'ble the Member in charge of the Political Department be pleased to state who gave the facts on which the application of Mr. Hansen was based?

**The Hon'ble Sir HUGH STEPHENSON:** Government are not prepared to disclose the source of the information on which a search warrant was applied for.

**Mr. J. M. SEN GUPTA:** Would the Hon'ble the Member state the reasons why Government are not prepared to disclose the source of the information?

**The Hon'ble Sir HUGH STEPHENSON:** I have nothing further to add to my answer.

### Costs in cases in which police officers were proceeded against.

***XLIII. Dr. J. M. DAS GUPTA:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) how many police officers and men have been proceeded against in the civil and criminal courts of the province during last financial year;

**Starred Questions**

**(to which oral answers were given).**

**Bakarganj Court of Wards.**

***XXXIX. Maulvi FAZLAL KARIM CHOWDHURY:** (*a*) Will the Hon'ble the Member in charge of the Department of Land Revenue be pleased to state whether any pensioner was appointed as Manager under the Court of Wards in Bakarganj district in 1923?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state whether the post was advertised?

(*c*) If so, when was it advertised?

(*d*) Were there any Muhammadan candidates for the post?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Member be pleased to state the reason for the exclusion of the Muhammadan candidates from such post?

**MEMBER in charge of DEPARTMENT of LAND REVENUE (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia):** (*a*) Yes.

(*b*) No.

(*c*) This does not arise.

(*d*) Yes.

(*e*) The person appointed was much better qualified

**Political prisoners.**

***XL. Dr. J. M. DAS GUPTA:** Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a list showing—

(*i*) the names of the political prisoners of Bengal who are now imprisoned in the various jails of India and Burma;

(*ii*) the social standing and the average income of each before his arrest;

(*iii*) the monetary help the Government are allowing for the maintenance of their respective families; and

(*iv*) the names of the jails in which they are imprisoned?

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*i*), (*ii*), (*iii*) and (*iv*) The member is refeffed to the statement laid on the table in reply to starred question No. VI on the 7th January, 1925. Government are not prepared to give the rest of the information asked for.

### Work of the District Judges.

***XLI. Babu BORODA PROSAD DEY:** With reference to the reply given to clause (*b*) of starred question No. XVIII put by me on the 18th February, 1925, is the Hon'ble the Member in charge of the Judicial Department prepared to ask the High Court to send any notes they have got with regard to these officers for presentation to this Council?

**MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim):** No.

**Babu BORODA PROSAD DEY:** May I ask the Hon'ble the Member to state the reasons for not complying with the request in such an important matter?

**The Hon'ble Sir ABD-UR RAHIM:** The reason is that it would not be in the public interest to ask the High Court to send these notes to be placed before the Council.

### House-searches at Dacca.

***XLII. Mr. J. M. SEN GUPTA:** With reference to the reply given to starred question No. XXVII (*rr*) and (*r*) put by Mr. S. N. Haldar on the 18th February, 1925, will the Hon'ble the Member in charge of the Political Department be pleased to state who gave the facts on which the application of Mr. Hansen was based?

**The Hon'ble Sir HUGH STEPHENSON:** Government are not prepared to disclose the source of the information on which a search warrant was applied for.

**Mr. J. M. SEN GUPTA:** Would the Hon'ble the Member state the reasons why Government are not prepared to disclose the source of the information?

**The Hon'ble Sir HUGH STEPHENSON:** I have nothing further to add to my answer.

### Costs in cases in which police officers were proceeded against.

***XLIII. Dr. J. M. DAS GUPTA:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) how many police officers and men have been proceeded against in the civil and criminal courts of the province during last financial year;

(*iii*) in how many cases they were plaintiffs or complainants;

(*iii*) in how many cases the Government bore the expenses of such proceedings;

(*iv*) what was the total expenditure incurred by the Government on this account; and

(*v*) from what head of the budget this sum has been drawn?

(*b*) Is there any procedure for recovering these sums from the officers concerned?

(*c*) If so, what steps have the Government adopted for realizing the amount.

**MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*a*) The statement below gives the information required in paragraphs (*i*) and (*ii*):

(*i*) Civil suits—1923, 45; 1924, 46 Criminal cases—1923, 504; 1924, 464.

(*ii*) 1923, 1; 1924, nil.

(*iii*), (*iv*) and (*v*) Information has been called for from the districts as regards these sub-paragraphs; but it will be some time before it is complete.

(*b*) The expenses of defending officers are only borne by Government on the recommendation of the District Magistrate and the Legal Remembrancer. In other cases the officer concerned is left to make his own arrangements for defence and is reimbursed his reasonable expenses only in the event of honourable acquittal. No occasion therefore arises for the recovery of costs from an officer.

(*c*) Does not arise.

**Offences committed by officers and men of Police Service.**

***XLIV. Dr. J. M. DAS GUPTA:** Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement specifying the offences committed by the officers and men of the Police Service during the last two financial years?

**The Hon'ble Sir HUGH STEPHENSON:** Information is not readily available as regards financial years, but the statement laid on the table furnishes particulars for the calendar years 1923 and 1924.

*Statement referred to in the reply to starred question No. XLIV, showing the offences committed by officers and men of the Police Service in the years 1923-24.*

1.—Calcutta Police.

| Year | Punished judicially by a Magistrate or Sessions Court. | | | | | | Other offences. | |
|---|---|---|---|---|---|---|---|---|
| | Under Calcutta Police Act. | | Under sections 330, 331 and 348, Indian Penal Code. | | Under Chapter IX, Indian Penal Code | | | |
| | Officers | Men | Officers | Men. | Officers | Men | Officers | Men. |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1923 .. | .. | 43 | . | .. | .. | 3 | .. | 10 |
| 1924 .. | 1 | 47 | . | . | . | 3 | | 10 |

2.—Bengal Police.

| Year | Under Police Act | | Under sections 330, 331 and 340 Indian Penal Code | | Under Chapter IX, Indian Penal Code | | Other offences. | |
|---|---|---|---|---|---|---|---|---|
| | Officers | Men | Officers. | Men | Officers | Men | Officers | Men |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1923 .. | | 130 | .. | . | 1 | 5 | 5 | 69 |
| 1924 . | | 125 | .. | | | 4 | 1 | 67 |

**Levy of cesses on permanently-settled estates.**

***XLV. Babu SATYA KISHORE BANERJEE:** (*a*) Is the Hon'ble the Member in charge of the Department of Revenue aware that in 1871, the landholders of Bengal presented a petition to Parliament, protesting against the proposed cess on land in Bengal on the ground that it would be a direct breach of the Permanent Settlement?

(*b*) Is the Hon'ble the Member aware that the Government of India first started the proposition of taxing the permanently-settled estates in Bengal for local purposes, but the Government of Bengal dissented from that proposition, and the matter was referred to the Secretary of State for decision, who again discussed it in his own Council, and, as it would appear, His Grace carried his resolution, affirming the views of the Government of India, by his casting vote?

(*c*) Do the Government of Bengal still adhere to their former opinion, or has anything happened since then to change their opinion?

(*d*) Are the Government contemplating taking any steps in this matter?

(*e*) If not, what are the reasons therefor?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** (*a*) A memorial was addressed to the Secretary of State by the British Indian Association in February, 1872, requesting him to disallow Act X of 1871.

(*b*) The proposal to levy rates on landholders for the purposes of primary education and roads seems to have been made by the Government of India. The proposal was criticised by the Government of Bengal on various grounds. The Secretary of State decided that the levying of rates for local expenditure was permissible and that such rates ought to be levied equally upon all the holders of property accessible to the rate.

(*c*) The events of the last half century have obviously produced changes which render opinions expressed in 1871 inapplicable to the conditions of to-day.

(*d*) No.

(*e*) Government are not aware of any reason why any steps should be taken.

**Babu SATYA KISHORE BANERJEE:** What are the changes referred to in answer to (*c*)?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** We cannot review the history of the question for the last 60 years.

## Public Accounts Committee.

***XLVI. Babu MANMOHON NEOGI:** (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether there has been any sitting of the Committee on Public Accounts that was formed for the current year?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state whether elected non-official members were asked to attend those sittings?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble the Member be pleased to state the reason therefor?

**MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald):** (*a*) No.

(*b*) and (*c*) The questions do not arise.

**Babu AMULYA DHONE ADDY:** May I ask why no meeting of the Committee on Public Accounts has been convened in the current financial year?

**The Hon'ble Mr. J. DONALD:** Because the comments of the Auditor-General on the audit and appropriation reports of the Accountant-General, Bengal, for 1923-24 have not yet been received.

## Unstarred Questions

### (answers to which were laid on the table).

### Assessment of jetties and projections existing on the foreshore lands on the Howrah side of the Hooghly river.

**33. Babu KHAGENDRA NATH CANGULY:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue be pleased to lay on the table a statement showing

(*i*) the number of jetties and other projections into the river Hooghly between the Bally Khal and Ulubaria on the Howrah side; and

(*ii*) the number of them that are owned by (*a*) European and American Companies, and (*b*) Indian Companies?

(*b*) Is it a fact that the foreshore of tidal rivers like the river Hooghly between high-water and low-water marks belongs to the Crown?

(*c*) Is it a fact that the majority of the above-mentioned jetty-areas lies on the Government foreshore lands?

(*d*) What revenue, if any, is realized by the Government from the Companies owning the aforesaid jetties and projections for their occupation of foreshore lands?

(*e*) If there are no arrangements for the realization of such revenue, are the Government considering the desirability of

(*i*) causing a fair assessment at existing prevailing rates in respect of these jetties and projections for Government foreshore lands; and

(*ii*) taking steps for realizing the back rents with *mesne* profits?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** (*a*) (*i*) There are 138 jetties or pontoon jetties and 62 brick-built bathing ghats which constitute projections into the river.

(*ii*) Of the jetties and pontoon jetties, 27 belong to public bodies, 102 are believed to be owned by European or American Companies or firms, and 9 by Indian Companies or firms.

(*b*), (*c*), (*d*) and (*e*) The rule for the assessment of river beds and banks for the erection of jetties, piers and other structures will be found in rule 156 B (page 71) of the Government Estates Manual, 1919. Government are not prepared to make any further statement until the investigations which are now being made are completed.

**Reasons for the arrest of Babu Krishna Kumar Mitra and the late Babu Aswini Kumar Datta.**

**34. Babu SATYENDRA CHANDRA MITRA:** Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that when the late Babu Aswini Kumar Datta and Babu Krishna Kumar Mitra were arrested under Regulation III of 1818 several years ago, the Government gave the impression that their arrest was due to their complicity in a revolutionary movement?

**The Hon'ble Sir HUGH STEPHENSON:** The member is referred to the reply given to unstarred question No. 27 (*i*) on the 26th February, 1925.

**Allegation of correspondence from Political Department to a few selected members of Council.**

**35. Babu HEMANTA KUMAR SARKAR:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state

(*i*) whether it is a fact that a letter was addressed to some members of the Council by the Political Department to remind them of the importance of attending the Council on the 17th of February last, on which date the Government resolution on the Ministers' salaries was tabled; and

(*ii*) whether it is also a fact that service postage was used for these letters?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble the Member be pleased to state whether it is usual to use service stamps for letters like these?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) why some members were selected; and

(*ii*) what was the object of the circulation?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) (*i*) A letter was addressed by a nominated official member of Council to other nominated

members, reminding them that important business was coming up on the opening day.

(*ii*) In two cases.

(*b*) I am not aware what has been the practice in the past, but I see no objection to the use of service stamps.

(*c*) (*i*) As explained in paragraph (*a*) (*i*), the letter was addressed to nominated members of Council.

(*ii*) See the reply to paragraph (*a*) (*i*).

### Bengal Tenancy (Amendment) Bill.

**36. Babu HEMANTA KUMAR SARKAR:** Will the Hon'ble the Member in charge of the Department of Revenue be pleased to state whether there is any likelihood of the Bengal Tenancy (Amendment) Bill coming before the Council in the next session?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** It is not likely that the Bill will be ready for introduction in the next session.

### Warrants for arrests on October 25th, 1924.

**37. Babu SATYENDRA CHANDRA MITRA:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that the warrants for some of the persons arrested on the 25th October, 1924, under Regulation III of 1818 were signed by the Government of India on the 27th August, 1924, the day after the rejection of Ministers' salaries by the Bengal Legislative Council?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state why the warrants were not executed for about two months?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) and (*b*) The member is referred to the reply given to unstarred question No. 18 (*i*) on the 18th February, 1925, and to the reply given on the same date to the supplementary question asked by Maulvi Md Nurul Huq Chaudhury.

### Charges against detenus.

**38. Babu SATYENDRA CHANDRA MITRA:** Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether it is a fact that most of the persons arrested on October 25th, 1924, gave an open challenge to the officers who communicated the charges to them that they were prepared

to prove their innocence if informed about the specific charges and the evidence against them;

(*ii*) whether it is not a fact that Mr. S. C. Bose, Chief Executive Officer, Calcutta Corporation, asked the officer who communicated the charges to him to make his case a test case and bring him up for trial before a court of law, even if Government were not prepared to bring up all the arrested persons for trial;

(*iii*) whether it is not a fact that Mr. Anilbaran Ray, M.L.C., has been charged with conspiracy with Babu Madanmohan Bhowmik, whom the former never knew and never met before his arrest;

(*iv*) whether it is not a fact that Mr. S. C. Mitra, M.L.C., has been charged with conspiracy with Babu Jyotish Chandra Ghose, whom he has never known and has never met in his whole life;

(*v*) whether it is not a fact that Babu Naresh Chandra Chaudhury, State prisoner, has been charged with conspiracy since January, 1920, whereas he was under detention till April, 1920; and

(*vi*) why State prisoners and détenus under the Ordinance are not furnished with copies of the charges against them?

**The Hon'ble Sir HUGH STEPHENSON:** (*i*), (*ii*), (*iii*), (*iv*) and (*v*) Government are not prepared to give the information asked for.

(*vi*) The member is referred to the answer given to unstarred question No. 29 (*a*) (*i*) on the 26th February, 1925.

### Papers seized at the house of Mr. S. C. Bose.

**39. Babu SATYENDRA CHANDRA MITRA:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state the nature of the papers seized by the police at the house of Mr. S. C. Bose, Chief Executive Officer, Calcutta Corporation?

(*b*) Is it a fact that nothing incriminating was found?

(*c*) Is it a fact that some of the papers seized contradict the theory that he could have had anything to do with a revolutionary conspiracy?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) Government are not prepared to give the information asked for.

(*b*) No revolutionary document was found at the house of Mr. S. C. Bose.

(*c*) The member is referred to the reply given to unstarred question No. 26 (*ii*) on the 19th February, 1925.

### Cost of living of jute mill-hands.

**40. Mr. K. C. RAY CHAUDHURI:** (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether Government contemplate utilising the services of the Labour Intelligence Officer to collect statistics and prepare family budgets of the jute mill-hands in a specified area?

(*b*) Is it a fact that the Government of Bombay have already prepared an index number of cost of living of Bombay mill-hands?

(*c*) If so, is a similar inquiry to be instituted in Bengal?

**MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald):** (*a*) No.

(*b*) Yes.

(*c*) No.

### Increase in budget owing to acceptance of Lee Commission Report.

**41. Babu BEJOY KRISHNA BOSE:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state the total of the increments for superior services provided for in the next year's budget in all the departments owing to the acceptance of the Report of the Lee Commission?

**The Hon'ble Mr. J. DONALD:** The total approximate increase is—(*a*) Salaries, 5¼ lakhs; (*b*) Passages, 2 lakhs

### Reasons for keeping under detention persons arrested under Regulation III of 1818 and the Ordinance.

**42. Babu SATYENDRA CHANDRA MITRA:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that at least some of the persons arrested under Regulation III of 1818 or under the Ordinance have been kept under detention not for their complicity in any terrorist conspiracy, but for what might be regarded as anti-Government speeches or anti-Government propaganda?

(*b*) If so, will the Hon'ble the Member be pleased to state the names of the persons so arrested?

(*c*) Will the Hon'ble the Member be pleased to state whether participation in the Tarakeswar Satyagraha movement and attendance at the Provincial Conference at Sirajganj have been important factors in causing the arrests of several persons now in custody?

(*d*) If the reply to (*c*) is in the affirmative, will the Hon'ble the Member be pleased to state whether it is a fact that many of the

arrested persons (to wit, Babu Surendra Mohan Ghose and Babu Harikumar Chakravarty) were questioned by highly-placed police officers regarding their participation in the Tarakeswar Satyagraha movement and attendance at the Sirajganj Conference?

(*c*) Is the Hon'ble the Member aware that highly placed responsible police officers have admitted to some of the arrested persons that they have been kept in custody not for their participation in any terrorist conspiracy but only as a preventive measure?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) No.

(*b*) The question does not arise.

(*c*) No.

(*d*) The question does not arise.

(*e*) No.

## Practice for sergeants at the entrance to the Town Hall to salute members of legislature.

**43. Babu HEMANTA KUMAR SARKAR:** (*a*) Is the Hon'ble the Member in charge of the Police Department aware that the police sergeants at the entrance of the Town Hall stand up and salute the Council members in European costume, but do not show similar respects to the members in *khaddar*?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state whether they have any instructions from the Government to behave in this way?

(*c*) If the answer to (*b*) is in the negative, are the Government considering the desirability of setting matters right?

(*d*) Is the Hon'ble the Member aware that the notice of the Secretary to the Council was drawn to this fact last year by some members of this Council?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) This is not the case. It has been the practice for sergeants at the entrance to salute all members of Council whom they recognised, without differentiation as to their dress. It is to be remembered that these sergeants are on duty at the Town Hall only for a few days at comparatively long intervals, and cases may naturally occur where they fail to distinguish between members and visitors.

(*b*) Does not arise.

(*c*) In view of the difficulty in ensuring that police officers on duty at the entrance to the Town Hall shall recognise all members, Government consider it preferable that the practice of saluting members

of the legislature individually, which is not part of their duties, should be discontinued. Compliments will therefore only be paid to the President of the Council and Members of the Executive Council and the Ministry; but the police at the entrance will not take their seats except when Council is sitting.

(*d*) Mr. Tindall's attention appears to have been drawn to this matter last year, and, after enquiries, he reached the conclusion stated in the reply to paragraph (*a*).

### Procedure regarding discussion of demands for grants.

**Mr. PRESIDENT:** Before proceeding to the voting of grants I should like to make clear to the Council the procedure that will be followed in connection with each grant. It will be the procedure which we have adopted for the last two years. When the limit of time has been reached, a bell will be rung and all amendments in connection with that demand which have not been reached, will then automatically lapse, and the demand will be put forthwith together with any amendments which may at the moment be under consideration. Under rule 90(2) of the Legislative Council Rules, it is incumbent upon the President, as soon as the limit of time is reached, forthwith to put any question necessary to dispose of the demand under discussion. The only such question is the demand itself or the demand as already amended, as the case may be, together with any motion which may at the moment be under consideration

## The Budget of the Government of Bengal for 1925-26.

### Demands for Grants.

5.—Land Revenue.

**Mr. PRESIDENT:** Hon'ble members will please notice that 5 hours have been given for the discussion of the demand under "5.—Land Revenue".

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I move that a sum of Rs. 35,47,000 be granted for expenditure under the head "5.—Land Revenue".

In moving this demand I do not propose to make any speech at the present moment. I have dealt with the policy of my department and the provision made in the Budget in introducing my portion of the Budget, and I believe I made the position clear then. I also said then

that Mr. Hopkyns and myself would be glad to supply information and explain any difficulties to any hon'ble members if they cared to favour us with a call, but unfortunately none came forward. If the hon'ble members had come to me, I am sure a considerable amount of misunderstanding and consequent trouble to them as well as to us would have been saved.

The following motions were, by leave of the Council, withdrawn:—

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 31,200 under the head '5A. Salaries of Land Acquisition Officers' (page 22, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 87,000 under the head '5A. Charges of Administration—Pay of Establishment' (page 22, Civil Estimate) be reduced by Rs. 3,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 18,000 under the head '5A.—Land Acquisition Establishment Travelling Allowance' (page 22, Civil Estimate) be reduced by Rs. 3,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 66,000 under the head "5A.—Land Acquisition Establishment" (page 22, Civil Estimate) be refused.

Sir, it seems to be my misfortune to set the ball rolling again to-day in this demand for grants. The motion was sent in with the intention of showing that this is a censure on Government's policy, and in order that the censure of my party may be given in such a manner that Government may realize that the Swaraj party is not dead yet. A policy of Government is involved in this case, and that policy is that the European character of the Department should be maintained at all costs and under any circumstances. Sir, I find in this case that Government has provided for the salary of a member of the heaven-born service, I mean the Indian Civil Service. There is an Indian there, Sir, who is very ably discharging his duties as First Land Acquisition Collector and he has done the work of two collectors together, much more expeditiously and quickly. Now, in order to bring forward a member of the Indian Civil Service, and to give him a lucrative post, with a fat salary, with a daily allowance of Rs. 10, *plus* overseas pay and other allowances, this amount has been budgeted. The idea is to give the post to a member of the Indian Civil Service so that he may enjoy the luxuries and social amenities of Calcutta. The present First Land Acquisition Collector is an Indian, not to say a Muhammadan, and his pay is Rs. 1,250 a month, *plus* a motor car allowance of Rs. 150. He enjoys neither an overseas allowance nor a daily allowance, or any other allowance attached to the post of the First Land Acquisition Collector which is given to a member of the Indian Civil Service. Everyone of us, whether a Swarajist or a non-Swarajist is urging upon

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Government the Indianisation of all the Services, [illegible] preference should be given to those who are qualified for the post. The present Collector has held the post for the past 5 years, I believe since September or October 1919. He was first a Third Collector, then he rose to be Second Collector, and officiated in the place of my friend Mr. Woodhead, the present Secretary of the Finance Department, as the First Collector. If Khan Bahadur Abdur Rahaman has done his work ably and to the satisfaction of the public at large, I see no reason why Government should import an officer of the heaven-born service to carry out the work of acquisition at a much higher cost. I believe my friend Mr. Aswini Kumar Banerjee who was one of the Assessors can bear testimony to the good work done by the present Land Acquisition Collector. I have entered into personal questions simply because many of the members of this Council may not be aware of the good work done by this Collector. This year work of acquisition worth about 50 lakhs has been done by the present Collector almost single-handed, and Government has not made out any case why another officer is required. Therefore, I submit that this demand be refused. It is a slur not only on the Indian community, but it must be remembered that this makes the administration costly. I hope members would refuse the demand *in toto*.

I know that His Excellency the Governor would certify it, if the demand were refused, but we, members of the Council, whether Indian or European, if we have come here to do good to the country, we should see that the administration is not made costly.

**Rai HARENDRANATH CHAUDHURI:** I move that the demand of Rs. 66,000 under the head "5A.—Charges of Administration—Land Acquisition Establishment" (page 22, Civil Estimate) be reduced by Rs. 30,000.

It would be seen at once that my motion does not propose any such thing as the total refusal of the demand; it simply proposes a cut. The arguments that I would advance would certainly be similar to those of my friend Maulvi Md. Nurul Huq Chaudhuri. The only explanation as to the necessity of this demand, Sir, is given in the note on page 11 of the Financial Statement. It is there stated that the expenditure next year will be higher by Rs. 77,000 and in justification of the proposition it is also stated that "the increased provision is due partly to the re-appointment of an officer of the Indian Civil Service, as the First Land Acquisition Collector, Calcutta, a post which has remained vacant since April, 1924, and his full staff to cope with the anticipated increase in work, and partly to smaller recoveries owing to the reduction in the Land Acquisition establishment this year". I would, therefore, ask two questions. In the first place, why, if at all, an increase of work is anticipated, a member of the Indian Civil Service should be imported, and why cannot the extra work, if any, be carried on by an officer of

the Provincial Civil Service? My next question will be this: In other departments, in the Judicial Department, for example, we see that when the work accumulates, when the undisposed of work becomes very heavy, it is only then that an extra officer is appointed to dispose of those files, but here we see that in anticipation of increased work, provision is going to be made in advance for a large amount for entertaining the services of an officer of the Indian Civil Service. My point is this. If and when it will be experienced that there has been actual and substantial increase in work, only in that case another officer should be appointed, and not simply in anticipation of increased work. Only when it is seen that the work cannot be managed by the existing staff, will the Government be justified in taking another man for the disposal of extra work. Why, simply in anticipation provide for a large amount for importing an officer of the Indian Civil Service to dispose of anticipated increase in work?

**SHAH SYED EMDADUL HAQ** spoke in Bengali. The English translation of which is given below:—

Frequent deficits instead of leading to retrenchment are leading to increased expenditure. It is due to this that there is an increase of Rs. 35,000 over last year's estimate, while the non-voted item has been raised from Rs. 4,000 in the last year to Rs. 31,000. In the year before last, there was an estimate of Rs. 67,000 with a voted item of Rs. 51,000 and non-voted Rs. 16,000. The year's estimate of Rs. 97,000 is too much even in comparison with that. Therefore I support the motion which is also standing in my name for a reduction of Rs. 30,000 from this year's estimate, because the estimate for Rs. 67,000 of the year before last was large enough. I refrain from repeating what has already been said by the speakers preceding me.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 66,000 under the head "5A—Land Acquisition Establishment" (page 22, Civil Estimate) be reduced by Re. 1.

My present motion being the motion for the reduction of the demand by Re. 1 is also a censure on the Government. I have spoken on the total refusal of the grant, and, therefore, I need not dilate on the present one. I formally move the motion.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I am very glad that my friend Maulvi Md. Nurul Huq Chaudhury has set the ball rolling as he did last year. I congratulate him.

He has said he does not understand why an Indian Civil Service officer is going to be appointed and why Khan Bahadur Afzalur Rahaman cannot do the work. As a matter of fact, by advancing these arguments he wants to refuse the whole demand for Land Acquisition. I do

not think he is in a serious mood, because if he wants to refuse the whole demand, that would be tantamount to an omission of the provision for the Indians serving in the department altogether, and I am sure my friend is not seriously thinking of that contingency. I think, however, that he is serious about his motion for reduction of the demand by Re. 1, and I will deal with that.

The appointment of the First Land Acquisition Collector was held in abeyance for the time being, as there was not much work to do then. The First Land Acquisition Officer does not draw Rs. 10 a day. He gets a consolidated salary of Rs. 2,650. It is expected that the work will increase in the coming year, and two officers will be required to cope with it, as has already been explained in my opening speech on the budget.

My friend Rai Harendranath Chaudhuri wants to know two things. My reply to the first is that Government consider that it is advisable to have work of so much importance entrusted to an Indian Civil Service officer. My answer to the second point is that from information received from the Improvement Trust we anticipate that there will be a considerable increase of work. As a matter of fact, the Khan Bahadur is going on leave in April. So I think the question will not arise. The pay of an Indian Civil Service officer, although included in the Budget, is non-voted. I oppose the motion.

The motion of Maulvi Md. Nurul Huq Chaudhury (Item No. 5 in the Appendix) was then put and lost.

The motions of Rai Harendranath Chaudhuri ~~and Shah Syed Emdadul Haq~~ (Items Nos. 6 ~~and 7 in the Appendix~~) was then put.

Shah Syed Emdadul Haq asked for a division.

**Mr. PRESIDENT:** Before I ask the members to divide, I want to make it quite clear that unless a member rises in his place when claiming a division, I shall not grant a division.

A division was then taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneer.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Satyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Baroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.

Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Sasar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Ham Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Dr. Kumud Sankar.
Ray. Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Mr. Attaf.
Band, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammad, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morone, Dr. H. W. B.
Morgan, Mr. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manikoli Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 54 and the Noes 63, the motion was lost.

The motion of Maulvi Md. Nurul Huq Chaudhury (Item No. 8 in the Appendix) was then put and lost.

The following motions were not moved:—

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 28,000 under the head '5A.—Certificate Establishment—Temporary Establishment' (page 22, Civil Estimate) be reduced by Rs. 5,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 37,000 under the head '5A.—Certificate Establishment' (page 22, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 25,200 under the head '5A.—Partition Establishment—Pay of Deputy and

Sub-Deputy Collectors' (page 23, Civil Estimate) be reduced by Rs. 5,000."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 14,433 under the head '5A.—Charges of Administration, Measuring Establishment' (page 23, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 5,000 under the head "5A.—Partition Establishment" (page 23, Civil Estimate) be refused.

Sir, the partitions that are made are for the benefit of zamindars or of those people who want that their estates should be partitioned amicably with the help of Government. In this case Government has asked for a sum of Rs. 5,000 for the partition establishment, because the recoveries that are to be made would amount to Rs. 1,07,000 and the total Rs. 1,12,000. Those who want that their estates should be partitioned under the control of Government or by Government officers they ought to defray almost the whole of the cost that would be incurred under this head. There are about 6 officers, Deputy and Sub-Deputy Collectors drawing salaries of Rs. 600 and less and 19 clerks on salaries of Rs. 70 and less and about 13 servants on Rs. 15 and less. If the amount that will be spent under the head temporary establishment, *i.e.*, Rs. 19,000 be not met and if my motion be accepted then Rs. 5,000 would be recovered and in addition it will show a profit of Rs. 14,100. Government have recently according to the report of the Retrenchment Committee imposed certain taxes or amounts that are to be recovered under settlement and survey and zamindars and tenants are to pay and Government bears a certain portion of the burden. But the duty of making survey and settlement is imposed upon Government in order to enable it to know the extent of its land over and above what interests Government, the raiyats ar zamindars have. And under the recommendations of the Retrenchment Committee's Report, the Government asked for the recovery of this amount from the different parties. In this case also the whole amount ought to have been realised from the different parties interested in the partition. I do not see why the Exchequer should pay even a sum of rupee one for the benefit of private people who want their estates to be partitioned and who can well afford to pay the whole amount. I think if the Government wants to realise the whole amount it can do it. This year the amount has been increased by Rs. 7,000. And it is in this way. The recoveries in this year amount to Rs. 1,70,000, while in the previous year it was Rs. 1,14,000. So this year it has been less by Rs. 7,000 while the expenditure has been correspondingly reduced to Rs. 6,000. In last year's revised estimate a sum of Rs. 4,000 was asked and this year a sum of Rs. 6,500 has been asked. I submit that the expenditure should not also have been increased this year. Therefore we desire that for the benefit of some of the private

parties no money out of the Exchequer should be paid; and the Government in all reasonableness ought to omit this grant from the Budget.

**Kumar SHIB SHEKHARESWAR RAY:** Sir, I beg to oppose the motion. I have no quarrel with my hon'ble friend if he wants any retrenchment in expenditure. But if he wants to hint that all expenditure in this connection should be paid by the zamindars alone, I should point out to him that this is a position to which I must take exception. We—the zamindars—like other people also pay land revenue. We pay a quarter of the total revenue and so you cannot expect us to forego the advantages which we can derive from the administration or that we should be charged again for the benefit. I should also refer to the mover—he is a lawyer and he ought to know the Partition Act—that under the Act every pie that is spent is realised in advance from the zamindars. My friend makes capital of the excess expenditure this year. I have not got the figures for all the years but I would refer him to page 22 where he will find the Budget estimate in 1924-25. The Government actually budgeted a profit of Rs. 15,000 out of the tax on zamindars on the partition establishment. What does that show. It shows that we really pay more than what the Government spends on their partition establishment. This is all what I want to say. If there is any excess expenditure it is most likely that it would be made up in the year following.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I want to say a word by way of personal explanation. I do not say that the zamindars ought to pay the whole cost. I said that all who wanted to partition their estates should pay and not the Exchequer.

**Kumar SHIB SHEKHARESWAR RAY:** And actually they do pay it.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motion on the ground that the provision made in the Budget is necessary to enable Government to perform the statutory duties imposed upon it by the Estates Partition Act. So long as that Act is in force, funds must be provided to enable the work under that Act to be carried out. Sir, the Kumar Sahib has clearly represented the position and I need only add a few words to that. It may be pointed out that the actuals of the previous three years were Rs. 19,000, Rs. 23,985 and Rs. 23,947, whilst the Budget estimate for the current year is Rs. 27,300. It is true that the Revised estimate for the current year is shown at Rs. 19,000, but a reference to the Civil List (page 83) would show that the pay of the officers now employed on partition work amounts to Rs. 27,000 a year.

The cost of partition work is recovered from the proprietors of estates; the net demand is due to variations in recoveries and to the

fact that under section 41 of the Estates Partition Act any excess in the salary of the partition officer above Rs. 250 is borne by Government. This is statutory duty of Government and this is not the time to change the law. Temporary establishment is made according to requirements.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The following motion was, by leave of the Council, withdrawn:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 32,100 under the head '5A.—Record Room Establishment' (page 23, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 29,000 under the head "5A.—Land Revenue—Charges of Administration—Wards' Estates Establishment" (page 23, Civil Estimate) be refused.

Sir, I cannot follow why, when there is going to be a recovery from the Wards Recoveries Establishment, the Government should ask for this grant. This amount is mostly meant for clerks and servants and not for any officers. That being the case and in view of the fact that, according to the statement made by the Finance Member during his Budget speech that the rates of the Wards Establishment have been increased, this amount ought not to be granted by the Council. So I move for its refusal.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** The provision made under this minor head represents charges incurred on establishment employed in the offices of Collectors in connection with the management of Wards' Estates. The provision is obviously necessary in order to enable the Collectors to perform their duties under the Court of Wards Act. The cost is met from general revenue. It is on the receipt side of the Budget. The receipts are given on the expenditure side.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The following motion was not put:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 29,000 under the head '5A.—Wards' Estates Establishment' (page 23, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 1,06,400 under the head "5A.—Kanungo Establishment" (page 24, Civil Estimate) be refused.

Sir, the Government has got their own Settlement Department and has got kanungoes under that department. According to their showing they have got about 59 kanungoes on a salary of Rs. 100 and less. In previous years the number was 58. I may inform you, Sir, that, when I was at Chittagong during the last *puja* holidays, I had a talk with the District Magistrate in regard to the settlement operation in Chittagong. He told me that the records of many of the *khas mahal* estates at Chittagong could not properly be corrected on account of the kanungoes not doing their work and that, therefore, the settlement of *khas mahal* lands were necessary. So, Sir, if these kanungoes are not doing their work properly in order to keep the records corrected and to have an accurate measurement of the Government land, I do not see any reason why we should vote this money. I understand that kanungoes are mostly employed on contractual basis, that is to say, that they do not get any pension. (Mr. Hopkyns: They are pensionable officers). In any case, Sir, whatever that may be I formally move that this sum be refused.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** If the hon'ble member had come to me for information, I think he would not have moved this motion at all. The position is this: It is impossible to abolish the kanungos. These kanungos have nothing to do with our settlement operations. They are district kanungos and they work in *khas mahal* and, therefore, their services cannot be dispensed with. So I oppose the motion.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The following motions were called but not moved:

**Maulvi ZANNOOR AHMED:** That the demand of Rs. 22,225 under the head '5A. Road Cess Valuation and Revaluation Establishment Pay of Deputy and Sub-Deputy Collectors' (page 24, Civil Estimate) be reduced by Rs. 4,100."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 1,41,340 under the head '5A. Road Cess Valuation Establishment - Temporary Establishment' (page 24, Civil Estimate) be reduced by Rs. 24,000."

**Maulvi SAYEDUL HOQUE:** Sir, it would be better if I move the two motions standing in my name together:—

That the demand of Rs. 78,625 for expenditure under the head "5A. Charges of Administration - Pay of Officers" (page 21, Civil Estimate) be reduced by Re. 1.

That the demand of Rs. 5,31,947 for expenditure under the head "5A.—Charges of Administration—Pay of Establishment" (page 21, Civil Estimate) be reduced by Re. 1.

By these two motions I want to bring before the House the fact that the cost of administration is very high. Last year, I learnt from an answer to a question that the pay of Provincial and Subordinate officers in comparison with the pay previous to the war was very high; and I do not find any reason why this increased pay should continue. My idea is that the administration can be run at a less cost. The officers are paid very high sums. In this connection, I want to refer to Land Acquisition Officers who get Rs. 2,000 a month and other officers, such as Deputy Collectors, are paid Rs. 600 a month and Sub-Deputy Collectors, Rs. 275 a month. Formerly such persons could be had on less pay. Now I think these officers can also be had on less pay. Education nowadays turns out so many men that whenever an advertisement appears for appointment, candidates come in large numbers; so I think it will not be at all difficult to secure the services of efficient officers at less pay. I am placing these points before the House because the general condition of the rate-payers is so poor, that it is the duty of the Council to have pity on them and try and run the administration on less costly lines without sacrificing efficiency. Last year I gave notice of a resolution to the effect that the pay of Provincial and Subordinate Service officers, whether judicial or executive, should be reduced to a pre-war basis. I do not know whether any effect is going to be given to it, but my idea is that I am trying to convince this House that from the point of view of the poor tax-payers, we should by all means try to run the administration on less costly lines.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose these motions. These Budget estimates have been prepared on the basis of estimates submitted by various departments concerned, and they were subjected to a minute scrutiny by the Finance Department. Government, therefore, cannot agree to a reduction unless it is shown that the provision is unnecessary or excessive. I may point out for the information of the hon'ble members that at the present moment my hon'ble colleague, Mr. Donald, is presiding over a committee to consider the question of reduction of the emoluments of the Provincial Services. I think it is not possible to arrive at conclusions or act up to them during the next year, the Budget of which we are discussing; so I oppose these motions.

The motions of Maulvi Sayedul Hoque were then put and lost.

**Babu KHAGENDRA NATH CANGULY:** I move that the demand of Rs. 52,237 under the head "5A. Charges of Administration - Allowances, Honoraria, etc." (page 21, Civil Estimate) be reduced by Rs. 50,000.

We are living in strange times and strange circumstances. Not only should we, the members of the Council, be made parties to help the Government in giving fat salaries to its officers, but we must

lend our support for the payment of fatter amounts for allowances, honoraria, etc. Well, have we been furnished with the facts which necessitate the payment of allowances, etc.? As the salaries are sufficiently lucrative and the general efficiency displayed by the officers are not of a high order, I do not think that such a large amount should at all be provided. The hon'ble member has just said that the Budget has been prepared on the basis of estimates submitted by various departments, which are subjected to a minute scrutiny by the Finance Department. But as details of those estimates so far as this item is concerned are not forthcoming I do not know why such a large increase here should at all be provided. I am sure a very small sum will be sufficient to meet the amount needed for honoraria, etc. Honoraria must be paid in special cases of exceptional merit and not in all cases. There should be a spirit of economy in the counsels of our rulers, but do we find it anywhere in the Budget? No. The expenditure is going up merrily and no attempt is seriously made to economize. Under these circumstances, I move that this cut of Rs. 50,000 be carried by the Council.

The following motion was called but not moved:

**Babu TARAKNATH MUKHERJEA:** "That the demand of Rs. 52,237 under the head '5A.—Land Revenue—Allowances, Honoraria, etc.' (page 21, Civil Estimate) be reduced by Rs. 12,237."

**The Hon'ble Mr. J. DONALD:** I propose to answer this. The hon'ble member does not seem to have read the Budget. Allowances and honoraria constitute a particular Budget head, and if members will look down the first column on page 22 of the Budget, they will find against this head travelling allowances, house rent and other allowances, but there is nothing about honoraria at all.

The motion of Babu Khagendra Nath Ganguly was then put and lost.

The following motion was called but not moved:—

**Babu TARAKNATH MUKHERJEA:** "That the demand of Rs. 96,879 under the head '5A.—Land Revenue—Contingencies' (page 21, Civil Estimate) be reduced by Rs. 96,879."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 2,70,900 under the head "5A Charges of Administration" (page 21, Civil Estimate) be refused.

He also moved that the demand of Rs. 2,70,900 under the head "5A. Charges of Administration" be reduced by Rs. 50,000.

He spoke in Bengali. The English translation of which is given below:—

"I move my first motion for the rejection of the entire Budget in protest against the autocracy of Government.

As regards the second one I do not move this motion merely to protest against the autocracy of Government. Such a motion is justified by all reasons and arguments. I do not understand why the expenditure is being raised and will be raised in this way but if the exercise of autocratic powers is the sole reason therefor, I may as well speak out that I have not much to say, although it is impossible for us to submit without a protest, as we are the accredited representatives of the people. To do so will be treachery on our part. There are large increases in the voted and non-voted items as between the estimates of the current and last years. There is an increase of Rs. 70,000 over the voted item of the last year and the motion is for a reduction of only Rs. 50,000 from it.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motions.

The motions were then put and lost.

The following motion was, by leave of the Council, withdrawn: —

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 2,70,900 under the head '5A.—Charges of Administration' (page 21, Civil Estimate) be reduced by Re. 1."

The following motion was called but not moved:

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 84,790 under the head '5B.—Collection of Revenue—Pay of Deputy and Sub-Deputy Collectors' (page 25, Civil Estimate) be reduced by Rs. 3,000."

**Babu KHAGENDRA NATH CANGULY:** I move that the demand of Rs. 47,600 under the head "5B. Management of Government Estates Allowances, Honoraria, etc." (page 25, Civil Estimate) be refused.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motion.

The motion was then put and lost.

The following motions were called but not moved:

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 8,70,000 under the head '5B.— Collection of Revenue' (page 25, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,14,000 under the head '5B.—Outlay on Improvements' (page 26, Civil Estimate) be refused."

**Babu KHAGENDRA NATH CANGULY:** I move that the demand of Rs. 2,14,000 under the head "5B.- Management of Government

Estates—Outlay on Improvements" (page 26, Civil Estimate) be reduced by Rs. 1,00,000.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motion.

The motion was then put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 10,84,000 under the head "5B. Management of Government Estates" (page 25, Civil Estimate) be refused.

He spoke in Bengali. The English translation of which is given below:

It is unnecessary to make speeches on every occasion and I formally move my motion.

**Babu MANMATHA NATH ROY:** I beg to support this motion which is also standing in my name in the appendix. In doing this I shall refer to the heavy increase which has been made, so far as this item is concerned, against the revised estimate of the current year. It appears from page 10 of the explanation that the total demand under this head is Rs. 10,84,000, whereas in the revised estimate of the current year the amount is only Rs. 7,25,000. It is explained later on that this is due to a new system of accounting, and on page 11 you will find that the explanation is that the change in system accounts for the addition of Rs. 3,75,000. If this is so, that amount ought to be added to the revenue under that head, but on page 9 you will find that against the item, receipts for the improvement of Government Estates, the revised estimate for the current year is 2 lakhs as against Rs 3,75,000 in the Budget for next year

**The Hon'ble Mr. J. DONALD:** The figure is Rs. 2,000 and not 2 lakhs.

**Babu MANMATHA NATH ROY:** That accounts for an increase of Rs. 3,70,000 but it is said that the change in the system is responsible for Rs. 3,75,000 so that it seems that the amount of Rs. 5,000 has slipped out of this estimate. I do not know whether the Finance Member will countenance this.

[The Council was then adjourned for 10 minutes.]

After the adjournment.

**Maulvi KADER BAKSH:** I move that the demand of Rs. 10,84,000 under the head "5B.—Management of Government Estates" be reduced by Rs. 3,34,000.

Now, Sir, the estimate for next year is about Rs. 3,34,000 more than the revised estimate for the current year, and we have not been able to understand why this amount has been increased. I, therefore, formally move this motion.

**Maulvi WAHED HOSSAIN:** I move that the demand of Rs. 10,84,000 under the head "5B.—Land Revenue—Management of Government Estates" be reduced by Rs. 2,85,000.

I must say one thing to make my position clear. It has already been remarked that some of the members are not moving their motions in a serious mood. I think the hon'ble member will not include me among that number. I have taken pains to compare the figures when I drafted my motion. Considering the figures given in the motion for reduction, the hon'ble member will at once see that my motion is neither unreasonable nor unjust. I may say at once that I shall be glad to withdraw the motion if the hon'ble member satisfies me how the cost of the establishment has been increased from Rs. 2,87,000 to more than Rs. 4 lakhs. The management of Government estates—I understand it means *khas mahal* (I speak subject to correction) is the management of the *khas mahal* lands. I do not think that Government is a trading company, nor a zamindari company.

Its object is to realize revenue not for the purpose of trading or running a zamindari, but for the purpose of looking to the happiness of the people inhabiting those estates. If we look to the figures of the year 1924-25 and to the figures previous to that year, we shall find that there has been an increase of more than 2 lakhs this year. I tried my best to find out the reason, but I am sorry to say that I could not find any explanation in the Budget estimates which will throw any light on the subject as to how this increase is to be accounted for. Then, Sir, the cost is not only too high, but the method of realization of rents in these estates leads to oppression. The realization of rents of these estates is not like the realization of rents by zamindars. In the case of zamindari estates, the tenants may not pay their rents at least for three years, whereas the realization of rents in Government estates is quick and prompt. I, therefore, fail to understand why this expenditure has been increased to such an extent when there is no rent in arrear.

With these words I beg to move my motion, but as I have already said, I shall be glad to withdraw it if a satisfactory explanation is given.

The following motions were called but not moved:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 10,84,000 under the head '5B.—Management of Government Estates' (page 25, Civil Estimate) be reduced by Rs. 3,00,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 10,84,000 under the head '5B.—Management of Government Estates' (page 25, Civil Estimate) be reduced by Rs. 2,00,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 10,84,000 under the head '5B.—Management of Government Estates' (page 25, Civil Estimate) be reduced by Re. 1."

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose all the motions. First of all, the Shah Sahib wants the total demand to be refused. I do not think he is serious about it. If he had taken the trouble to read page 11 of the Financial Statement, I am sure he would not have brought this motion.

Then Babu Manmatha Nath Roy has made certain observations regarding the account. I would draw his attention to page 9 of the Civil Budget Estimate. The detailed account No. VB, read with the account on page 25, will clearly explain that in the previous years 1924-25 and 1923-24 there was no money shown under this head on the receipts side, while in the current year Rs. 3,73,000 has been shown on this side. I think that explains the anomaly.

As regards the provision for the Management of Government Estates, let me point out the rules on the subject in the Government Estates Manual. The Government Estates Manual prescribes a method in which the grants for the management of and improvements in Government estates are to be calculated. Nine and half per cent. is allowed for the cost of management and improvements, and an annual allotment of Rs. 50,000 is to be made for agricultural works. These two sources provide a sum of Rs. 6,01,000 to which is to be added Rs. 13,000 due on the actual figures of 1923-24. A sum of Rs. 3,97,000 has been provided for the payment of road and public works cesses. Finally, a sum of Rs. 1,44,000 has been allotted for carrying on the colonization work in Bakarganj and the 24-Parganas Sundarbans. The value of this work has already been explained to the Council, and it is enough to say that a valuable asset is being built up by this colonization; thus, in the Bakarganj Sundarbans 102 square miles have been colonized and assessed to rent. The annual demand from this assessed area in 1923-24 was already Rs. 91,000, and this demand will ultimately rise to more than Rs. 2,11,000. The total of the figures I have given above is Rs. 11,55,000. Deducting from this the contribution for hospitals and dispensaries which appears in the Medical Budget and a charge of Rs. 1,000 for the maintenance of three sluices, we get a figure of Rs. 11,34,000. A sum of Rs. 50,000 of this is non-voted, leaving the sum of Rs. 10,84,000 which the Council are now asked to vote.

I hope I have been able to explain the position clearly and I hope my friend Maulvi Wahed Hossain will withdraw his amendment.

The motions of Shah Syed Emdadul Haq, Maulvi Kader Baksh and Maulvi Wahed Hossain were then put and lost.

The following motions were called but not moved:—

**Maulvi MD. NURUL HAQ CHAUDHURY:** "That the demand of Rs. 6, 338 under the head '5B.—Survey and Settlement—Controlling Office' (page 27, Civil Estimate) be refused."

**Maulvi MD. NURUL HAQ CHAUDHURY:** "That the demand of Rs. 74,851 under the head '5C.—Survey and Settlement—Drawing Office' (page 28, Civil Estimate) be refused."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 74,851 under the head '5C.—Survey and Settlement Drawing Office' (page 28, Civil Estimate) be reduced by Rs. 20,365."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 16,800 under the head "5C.—Survey and Settlement—Pay of Settlement Officers" (page 29, Civil Estimate) be refused.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose this motion. This is due to the fact that a Provincial Service Officer, Rai Saheb Bijoy Behari Mukharji, has been appointed Settlement Officer of Murshidabad and Birbhum Settlement. That accounts for this.

The motion was then put and lost.

The following motions were called but not moved:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 16,800 under the head '5C.—Survey and Settlement—Pay of Settlement Officers' (page 29, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 13,96,850 under the head '5C. Survey and Settlement—Major Settlement Operations' (page 29, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY and Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 13,96,850 under the head '5C.—Survey and Settlement Major Settlement Operations' (page 29, Civil Estimate) be reduced by Re. 1."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 14,830 under the head "5C.—Survey and Settlement—Minor Settlement Operations—Travelling Allowance" (page 30, Civil Estimate) be reduced by Rs. 7,415.

He spoke in Bengali. The English translation of which is given below:—

Last year the voted item in this respect was Rs. 350, but it has been raised this year to Rs. 14,830 and the non-voted item is Rs. 950 as in the current year and Rs. 805 in the last. The increase of the voted item from Rs. 350 to Rs. 14,830 is very great. As the expenditure under this head was only Rs. 4,447 in the year before the last, there would have been nothing to say even if this motion was for a larger reduction than only for Rs. 7,000 and half. Government always point out some justification or other for increases and they will perhaps give their reasons, but it is one thing to give such replies and

quite a different thing to meet the requirements of the case. I move my motion for reduction of Rs. 7,415 only, though a larger reduction would be quite justifiable.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose this motion. The increase as compared with recent years is due to the fact that the Minor Settlement Operations next year will cover a considerably wider area than in recent years owing to the revision of the settlement in Chittagong.

The motion was then put and lost.

The following motions were called but not moved:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,59,756 under the head '5C.—Survey and Settlement—Minor Settlement Operations' (page 30, Civil Estimate) be refused."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 3,59,756 under the head '5C.—Survey and Settlement—Minor Settlement Operations' (page 30, Civil Estimate) be reduced by Rs. 60,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,59,756 under the head '5C. Survey and Settlement Minor Settlement Operations' (page 30, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 0,847 under the head '5C.—Survey and Settlement—Minor Survey Operations' (page 31, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,60,514 under the head '5C.—Survey and Settlement—Minor Survey Operations' (page 32, Civil Estimate) be refused."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 2,63,269 under the head '5C.—Survey and Settlement—Pay of Officers' (page 26, Civil Estimate) be reduced by Rs. 60,000."

**Babu KHAGENDRA NATH CANGULY:** I move that the demand for Rs. 1,51,410 under the head "5C.—Survey and Settlement—Allowances, Honoraria, etc." (page 26, Civil Estimate) be reduced by Rs. 1,00,000.

Every member of the Council is well aware that Survey and Settlement is generally looked upon by the people in the light of an evil. Whatever good the future may have in store, the work is not looked upon with favour. Besides that it is beyond my comprehension why the actual expenditure which stood at the figure of Rs. 89,766 in the year 1923-24, should jump up to Rs. 1,18,434 in 1924-25 and to Rs. 1,51,410 in the current Budget. Is this the spirit of economy

which actuates Government in the matter of expenditure of the people's money? If you go on increasing the figure on the expenditure side in all details, naturally the total amount goes on increasing, but a Government responsible to public opinion, which the present Government is not, should have tried to ensure efficiency along with economy, but unfortunately no such sign is to be found. As, however, it is useless to make a long speech in support of this motion, I move for its acceptance.

**Babu TARAKNATH MUKERJEA:** My motion is covered by that moved by my distinguished friend Babu Khagendra Nath Ganguly, and so I need not waste the time of the House by repeating his arguments. In these circumstances I beg leave of the House to withdraw my motion in favour of the one which has just been moved by Babu Khagendra Nath Ganguly.

**Babu BEJOY KRISHNA BOSE:** My motion is covered by the other two motions, and, therefore, I do not move it.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I find that my friend Babu Taraknath Mukerjea has got a soft corner in his heart for round figures. As Babu Khagendra Nath Ganguly's motion covers the other one, I will reply to his motion. The sum that would be left if effect were given to this motion would be hopelessly inadequate to meet the travelling allowances to which officers are entitled under the rules, if they do their inspection work properly. After paying the house rent and other allowances very little would be left over for travelling allowance. So I oppose the motion.

The motion of Babu Khagendra Nath Ganguly was then put and lost.

The following motions were, by leave of the Council, withdrawn:—

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 1,51,410 under the head '5C.—Land Revenue—Allowances, Honoraria, etc.' (page 26, Civil Estimate) be reduced by Rs. 51,410."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 1,51,410 under the head '5C.—Survey and Settlement—Allowances, etc.' (page 26, Civil Estimate) be reduced by Rs. 40,000."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 20,05,000 under the head "5C—Survey and Settlement" be refused.

He spoke in Bengali. The English translation of which is given below:—

Though a motion for the rejection of the entire demand for grants is regarded as despicable and contemptible by many, there is not the slightest justification to regard this motion to refuse supplies as such.

Not only are the people in no way benefited by survey and settlement, rather these inflict miseries on them like an instrument of oppression. As water always flows downward, so it is the cultivators and the rural people of Bengal who are victimised by them everyday. These twenty lakhs of rupees have been derived by taking away portions of the hard-earned money of the poor cultivators who will not get the least benefit from it, though all the while there is always a plea of want of money to provide for their education or to tackle the vital problem of sanitation on the solution of which depend their life and death. They are ruined by the exorbitant interest they are compelled to pay. In many cases, they are unable to meet the costs of tilling their lands, procuring agricultural implements and employ them, and thus many lands are left uncultivated and money is wanting for suitable provision for the department of agriculture. Their own money is used to commit oppression on them. Who benefits by surveys? The cultivators do not receive a pice worth of benefit, but they are condemned to bear the principal part of the loss as the whole of this sum of 20 lakhs earned by them is thrown into water. They suffer other losses besides. Even if Government say that the money does not belong to the cultivators and tenants but to them, we might ask what profit do they make in all the places where the Permanent Settlement prevails with the exception of khas mahals? We do not know, however, whether the purpose of Government is to give some facilities to those favourites of theirs to whom they were at one time compelled to make over the lands, reserving 90 per cent. of the income in view of the difficulties of the collection of rentals to enhance rents, etc., after survey operations resulting in the increase of acreage of lands in their hands, although it is not possible to create more lands, provided that they bear a part of the costs of the operations, with the intention at the same time of opening up new prospects for them in future if possible. Even in those estates in which no enhancement of the rental has been made within 50 or 60 years and the owners have not given any thought thereto, it has followed on the heels of survey and settlement at the time of the decision of disputes under sections 103, 105, etc., when many a landlord submitted petitions for enhancement of the rental after the example of other landlords. This enhancement is one of the losses suffered by the tenants and there are other losses. They have got to bear one-third of the costs of the operations, while the rest is divided between the landlords and Government. Nor is it quite profitable to the landlords For these and other causes, members of this House, elected by the cultivators, cannot but protest against this measure ruinous to the cultivators. Silence in this case would be treachery to them. As the number of the members elected by the cultivators constitutes more than half the strength of this House, these at least should be unanimous. If they fail to unite on this matter, they will have to hide their faces from their constituencies.

**Maulvi ASIMUDDIN AHAMAD** who had an identical motion also spoke in the vernacular in support of the motion.

The following motion was called but not moved:—

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 20,05,000 under the head '5C.—Survey and Settlement' be reduced by Rs. 5,00,000."

**Rai HARENDRANATH CHAUDHURY:** I move that the demand of Rs. 20,05,000 under the head "5C.—Land Revenue—Survey and Settlement" (page 26, Civil Estimate) be reduced by Rs. 2,50,000.

It was known to us that as a measure of retrenchment survey and settlement operations were of late being carried on on a two-party basis. The result was that the actual expenditure under this head was reduced by about 25 per cent., that is, from 24 and odd lakhs in 1921-22 to 18 and odd lakhs in 1922-23. Since then this reduced scale of expenditure was being pursued and although in 1924-25 21·61 lakhs was budgeted under this head on revised estimate it is expected that not more than 18·99 lakhs would be spent this year. "The large savings in the revised estimate," it is explained, "are partly under major and partly under minor settlement operations. The fall in expenditure under major operations is due to savings in Khulna owing to the fact that the programme of cadastral, *khanapuri*, *bujharat* and attestation, which are expensive items of work, was expedited and paid for in the last financial year. The savings would have been larger but for increased expenditure in Pabna-Bogra and the 24-Parganas, due in the former case to the effort to clear up arrears and in the latter to the expedition of cadastral work." The Government, no doubt, is now naively admitting it, but I should like to remind the house on how many occasions and in reply to how many motions they stoutly opposed all proposals of reduction this time last year. This is their calculation—this is their estimate. However, if that be the case I do not understand why the settlement programme next year which includes only the concluding stages in Bankura and Nadia and provides for the continuance of the Pabna-Bogra, Khulna-24-Parganas and Murshidabad-Birbhum operations will involve an increased expenditure of 2·39 lakhs more than the revised figure for 1924-25. I do, therefore, propose that the demand be reduced by the excess amount budgeted, *viz.*, 2½ lakhs.

**SHAH SYED EMDADUL HAQ** spoke in the vernacular in support of the motion. The English translation of which is given below:—

Two members in moving the motion for the total refusal have dwelt on the mischievous nature of the outlay on this head and declared that it would be proper to disallow it entirely. After that my fellow-member also has spoken and I do not repeat what he has said. Looking at the accounts it will become clear that the estimates have been considerably increased by money taken into account in the current year. In

the previous year also, a sum of Rs. 17,23,299 has been taken as voted. For non-voted, the figure has been taken at Rs. 1,11,392 for that year, for which in the present year we have Rs. 1,33,000. It would be proper to disallow the entire outlay. But even if all parties do not vote unitedly on that matter here, it would at least be proper to refuse to vote the three lakhs which have been taken in excess or the sum of two and a half lakhs, a motion to reduce which has been put in after careful consideration. And in this behalf I warn Government that instead of turning down all our proposals out of a sense of their own superiority and power, they should assent to this motion. Government constituted the Retrenchment Committee with men of their own choice or men animated by a spirit of submissiveness to them. But can Government say in how many cases they have effected a retrenchment except small cuts in education and other nation-building departments? It is because of these autocratic measures that all this trouble arises. Even the zamindar class like that of ourselves, which has always been submissive, is in trouble. And I am ashamed to say that this time we notice that Government did not see any necessity for upholding the dignity of the Retrenchment Committee or the influence of the Council by reducing the number of Executive Councillors or of Commissioners. This has been seen clearly at the time of appointment of Ministers, but we cannot say for that reason that we are inferior, as we find such injustice and want of fair play in other places. We shall not fail to discuss the mysteries connected with the Ministry in the proper place. Before taking my seat I again and again request Government to abandon these ways and to turn to what is right, and they will find then that the people on their part will turn to them. Unless this is done, nobody is able to foretell whether the spark of fire which has been enkindled in the country will die out or spread widely like wild fire. I again request my brother members to look to the welfare of the cultivators by whom they have been elected, for it will be treachery on their part if they neglect to do their duty. I shall draw your attention to a Persian poem which says that rulers of men can go so far as to kill their own fathers and sons for the sake of winning wealth, higher position and glory. And history shows that it is true. I hope that if Government are so obstinate as not to accept this motion, those of my brother members who could not see their way to vote for my other motions will take this opportunity to vote unanimously for the present motion and win glory for them.

**Sir PROVASH CHUNDER MITTER:** I beg to say a few words with regard to the motion of Rai Harendranath Chaudhuri. I find from the Budget that the actuals of the year 1923-24 was Rs. 17,23,299 and the Budget estimates for the year 1925-26 are Rs. 20,05,000. A cut of Rs. 2,50,000 would reduce the demand to a sum that will be a little more than the actuals of the year

1923-24. Now, sir, we all know that our Government has very limited resources at the present time. There is no money for expansion over matters in which we are all agreed that money should be spent. I beg to submit to the Council for their consideration that we should not expand our expenditure over an item like this as it is far less important than other vital needs. We want money for drinking water. We want money for primary education. We want money for sanitation, medical relief, and various other things and in the interest of these vital necessities of the people it is not right and proper that this increase should be supported, as however important it may be, it has not one-tenth of the importance of the needs that I have mentioned. The Retrenchment Committee suggested retrenchment under this head and in spite of their suggestion I find an expansion under this head. Sir, if we want to do good and be useful to the country through our transferred departments whether such departments are administered by responsible ministers or by His Excellency the Governor, money is required for that purpose, and it is on the beneficent activities of the transferred departments that the well-being of the people depend. I therefore whole-heartedly support this amendment.

**Babu BEJOY KRISHNA BOSE:** Looking at page 26 of the Budget estimates we find an increase of expenditure under almost all the heads comprised in the detailed account of Survey and Settlement. I attempted to find some explanation in the other book but no explanation is forthcoming even there. We find that the pay of officers in the actuals of 1923-24 was Rs. 1,14,540. This year it is proposed that the expenditure on the pay of officers should be Rs. 2,63,269. Not only on that account has there been an increase, but I find that under the head "Pay of Establishment" there is an increase of Rs. 35,000. Under the head "Allowances, Honoraria, etc.", I find that from the actuals of less than Rs. 90,000 the expenditure provided for the next year has risen to Rs. 1,51,000. In this way the total has come from Rs. 17,23,000 in 1923-24 to over Rs. 20,00,000 for the next year, and this requires some explanation as to why on the head of "Survey and Settlement" an increased expenditure of over 3 lakhs of rupees is going to be provided for in the expenditure in 1925-26. At page 11 of the other book of the Budget we find that a mention is made of the savings which would have been effected but for some extraneous reason no word has been said in explanation as to why this excess amount of over 3 lakhs has been provided under this head. I think some explanation ought to be forthcoming from the Government benches in regard to this matter.

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 20,05,000 under the head '5C.—Land Revenue—Survey and Settlement" (page 26, Civil Estimate) be reduced by Rs. 2,05,000."

Sir, I do not like to make a speech. The remarks which have been made by my friends, Rai Harendranath Chaudhuri and Mr. Bose, are

quite sufficient to convince the House of the reasons for these motions. I should like, however, to point out one thing. It is a well-known fact that survey and settlement have generally been made either at the request of the zamindar or at the request of tenants whenever there is a dispute between the two, and a settlement is considered necessary for the purpose of settling the dispute. At the same time it cannot be ignored that the people do not look upon this kind of operation with favour. Be that as it may, one thing that strikes me is this; there is a recommendation of the Retrenchment Committee on the one hand, for reduction of expenditure; on the other hand, we find that on almost every item there has been an increase of expenditure. Now, it is very difficult to reconcile these two positions. From the year before last the expenditure has all on a sudden risen to a high figure. Some explanation is attempted to be given in the Grey Book, but I do not know whether it is to be taken as an explanation, or a mere repetition of the figures with some remarks which do not throw any light on the subject. If it be said that because a larger number of officers has been appointed, then an explanation should have been given why it has been so done, but there is no satisfactory explanation on the point. Therefore, unless some explanation is given on the points I have raised, increase of figures on the expenditure side startles us. My friend, Rai Harendranath Chaudhuri, has asked for a reduction of Rs. 2,50,000 and my motion is for a reduction of Rs. 2,05,000. If my friend presses his motion, I shall withdraw mine. I have explained why I have proposed my motion. I have worked out the details. I request the Maharaja of Nadia to consider whether such a high increase in the expenditure will be necessary this year, or some reduction can be made without impairing efficiency. My object is not to oppose simply with the spirit of opposition. I know that this House is not a place for making fun or cracking jokes—I know the sanctity of the House—I am sorry to say that whenever a question of reduction comes in, we never get any redress. I want to know whether our cry for reduction has any value, or it is simply a cry in the wilderness. As I have said, if my friend Rai Harendranath presses his motion, I will not press mine.

The following motion standing in the name of Maulvi Kader Baksh was called but not moved:—

"That the demand of Rs. 20,05,000 under the head '5C.—Survey and Settlement' (page 26, Civil Estimate) be reduced by Rs. 2,00,000."

**Maulvi SAYEDUL HOQUE** : Sir, I move that the demand of Rs. 20,05,000 under the head "5C.—Survey and Settlement" (page 26, Civil Estimate) be reduced by Re. 1.

In moving this I beg to point out one thing. It appears to me that we are pouring water over the head of the tree and cutting everything at the root. So far as this department is concerned, we find

that high officers are appointed on large salaries and below them ordinary officers are appointed who have to go to the villages to settle disputes. But they do their work in such a way that after their visits disputes again crop up. I admit, however, that there are arrangements for hearing these disputes by superior officers, but all this could be checked if proper and qualified persons were engaged in the beginning for survey purposes. My point is that qualified and honest persons are to be appointed whose business will be to deal with the ordinary cultivators and villagers and I strongly disapprove the idea of spending large sums on higher officers who are paid in thousands. The ordinary tax-payers are in many ways exploited and this is one of the ways in which such exploitation takes place. As the subordinate officers who are engaged to deal with the cultivators and ordinary villagers are not highly qualified or honest officers, I beg to suggest that a cut should be made in the salaries of highly paid officers and that honest and qualified officers be employed whose duty will be to deal with the ordinary tax-payers. With these words I beg to commend my motion to the acceptance of the House.

**Babu AMULYA DHONE ADDY:** Sir, I beg to support this amendment. It appears from the statement that almost every item of expenditure is going to be increased the pay of officers, the pay of the establishment and allowances. Seventy-five per cent. of this cost is to be realized from the landlords as well as from the tenants and under the report of the Retrenchment Committee 95 per cent. of the cost of Survey and Settlement has to be realized from the poor landholders and poor tenants. This is the special reason as to why a material reduction should be made in the case of the establishment, as it is the poor tenants who are to pay in the long run.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** Sir, I am sorry to find that there is considerable misapprehension in the minds of some of the members who have sent in these motions. In the first place, the amounts provided in the Budget by Government are the amounts which, so far as can be foreseen, are necessary for carrying on the operations in progress. The estimates are based on the methods which have been found by past experience to be the most economical. A perusal of the final settlement reports will show how much importance is attached by Settlement Officers and the Director of Land Records to economy, and that every effort is being made to keep the cost per acre down to the lowest possible figure. If these demands for reduction were accepted, it would involve the reduction of the area under survey and settlement, the prolongation of the operations, and consequently the raising of the ultimate cost, because the overhead charges for the controlling office and drawing

office would remain the same and the settlement and other supervising officers would still be required for each operation, but the operations would last longer. The most economical way of conducting settlement operations is to carry on simultaneously the maximum work with which the supervision staff can cope. So, Sir, I find that I cannot accept any of the motions which seem apparently to be based on the increase as compared with the provision for 1923-24. The provision for the current year under Survey and Settlement has to a certain extent been doubled. This is due not to the Major Survey and Settlement Operations in which, generally speaking, there has been a slight reduction in expenditure, but to the provision made for Minor Settlement Operations. In 1923-24 the cost of this was only Rs. 65,000 while the Revised estimate for the current year is almost Rs. 1½ lakhs, and the Budget estimate is Rs. 3¼ lakhs. This is mainly due to revision of settlement operations in Chittagong. I explained the reasons in my Budget speech the other day. A revision of the Settlement Operations in Chittagong will give a continued increase in revenue, and as such I hope that the movers of these amendments will see their way to withdraw these motions.

The motion of Shah Syed Emdadul Huq was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Dey, Babu Sereda Prasad.
Dafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Sasar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Nasker, Babu Ham Chandra.
Neogi, Babu Manmohon.
Ray, Babu Abanish Chandra
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Mr. Attaf.
Band, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Das, Babu Charu Chandra.

Dawd, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prasad.
Lal Mahammed, Haji.
Law, Raja Reshea Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mittar, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W L
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 41 and the Noes 62, the motion was lost.

The motion of Rai Harendranath Chaudhuri was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneor.
Aley, Khan Bahadur S. Mahbaeb.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Satya Kishore.
Banerjee, Mr. A. C.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Babu Charu Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dawd, Mr. M.
Dey, Babu Bereda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khaitan, Babu Debi Prasad.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Lal Mahammad, Haji.
Law, Raja Reshea Case.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Masih, Mr. Syed M.
Mitra, Babu Jogendra Nath.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerjea, Babu Taraknath.
Naskar, Babu Hem Chandra.
Nazimuddin, Khaja.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy, Mr. Tarit Bushan.
Roy, Raja Manilall Singh.
Sarkar, Babu Hemanta Kumar.

Sarker, Babu Nalinikanjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Majib Uddin.

NOES.

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Ali, Mr. Altaf.
Band, Mr. R. N.
Barton, Mr. H.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. B. J.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Gilchrist, Mr. S. W.
Gurner, Mr. C. W.
Hopkyns, Mr. W. S.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Liddell, Mr. H. C.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parratt, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Salem, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 78 and the Noes 41, the motion was carried.

The motions of Maulvi Wahed Hossain and Maulvi Sayedul Hoque failed as being covered by the decision on the motion of Rai Harendranath Chaudhuri.

The following motions were called but not moved:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 14,200 under the head '5D.—Land Revenue—Superintendence (page 33, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 36,900 under the head '5D. Land Revenue—District Charges' (page 34, Civil Estimate) be refused."

**Babu KHAGENDRA NATH CANGULY and SHAH SYED EMDADUL HAQ:** "That the demand for Rs. 51,100 under the head '5D.—Land Revenue—Land Records' (page 33, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 51,100 under the head '5D.—Land Records' (page 33, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,34,000 under the head '5E.—Land Revenue—Compensations' (page 34, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ** moved—

"That the demand of Rs. 35,47,000 under the head '5.—Land Revenue (Reserved)' (page 21, Civil Estimate) be refused."

"That the demand of Rs. 35,47,000 under the head '5.—Land Revenue' (page 21, Civil Estimate) be reduced by Rs. 7,50,000."

The following motion was called but not moved:—

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 35,47,000 under the head '5.—Land Revenue (Reserved)' (page 21, Civil Estimate) be reduced by Rs. 10,00,000."

**Babu NALINIRANJAN SARKER** was then called to move the motion standing in his name.

**The Hon'ble Mr. J. DONALD:** The cut of Rs. 2,50,000 has already been made.

**Rai HARENDRANATH CHAUDHURI:** The cut has been made from the Settlement demand and not from the total demand.

**Mr. PRESIDENT:** Motions Nos. 89 to 91 are all covered by motions already moved and therefore fail. They are as follows:—

"That the demand of Rs. 35,47,000 under the head '5.—Land Revenue' (page 21, Civil Estimate) be reduced by Rs. 2,50,000."

"That the demand of Rs. 35,47,000 under the head '5.—Land Revenue (Reserved)' (page 21, Civil Estimate) be reduced by Rs. 3,353."

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose all the motions.

The motions of Shah Syed Emdadul Haq were then put and lost.

The following motion was, by leave of the Council, withdrawn:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 35,47,000 under the head '5.—Land Revenue' (page 21, Civil Estimate) be reduced by Re. 1."

The [illegible] that a sum of Rs. 35,47,000 be granted for expenditure under the head "5.—Land Revenue" as amended in Council was then put and agreed to.

## 6.—Excise.

**MINISTER in charge of EXCISE DEPARTMENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri of Santosh):** I move that a sum of Rs. 25,77,000 be granted for expenditure under the head "6.—Excise."

I feel sure that the Council will realize that having taken over the portfolio of Excise only very recently, I am placed in a very awkward position, but I can assure the Council that I shall not be sparing in my efforts to take all possible and practicable steps to further the cause of temperance and to hasten the advent of the consummation which we all have in view. I find quite a formidable list of motions for cuts or refusal and I naturally anticipate a very heavy onslaught on the Excise policy of Government and on the Excise budget in particular. This Budget has been clearly explained in the Financial Statement and I do not think that it is necessary for me to trouble the House with many details, and I, therefore, do not propose to make a long speech. Leaving out of account the provision of 14 lakhs representing the cost price of opium supplied to this province from the Ghazipur Factory which, owing to the introduction of the new system has appeared for the first time in the estimates, the Budget itself may be claimed to be a normal one. I hope the House will agree with me so far as this particular point is concerned. Well, I say it is normal for the carrying on of the administration of the department and making provision for the staff that is absolutely necessary for the purpose. In referring to the staff it may be mentioned that the question of its curtailment was thoroughly examined in connection with the retrenchment proposals and all possible reduction in the superior staff has been effected and further reduction will be gradually effected consistently of course with the efficient administration of the department.

For some time past I have noticed that there has been a strong feeling against the Excise policy of Government and I think the situation has been to some extent aggravated by the opinion of the Conference at Geneva. Well, judging from what has fallen from the lips of the members in connection with the general discussion on the Budget, I anticipate that the Excise policy of Government would be rather severely criticized this afternoon, but at the same time I do hope that the explanation which I have been able to put forth would clear the mist to some extent and the criticisms will not be very severe. Personally speaking, Sir, being an advocate of temperance myself I yield to none in my aversion for the drink and drug evils and no one will be more pleased than I if we could make a clean sweep of all the drugs or all those evils with which we are confronted absolutely and altogether. In this respect I am certainly at one with the advocates of temperance, but as practical men we must, however, realize that there are difficulties in the way of reaching the goal we all have in mind. I feel sure that the Council will understand that although at present I am not in a position to give them any definite assurance as to what we are going to do to meet the wishes of the advocates of temperance, I think I can assure the members that I shall not be sparing in my efforts to take all possible and practicable steps to further the cause of temperance and to hasten the advent of the various reforms they have in

view. I, however, crave the indulgence of the House to give me reasonable time to examine the whole problem with references to the criticisms advanced by the various members and to formulate and place before the House my considered policy in the matter of Excise administration in this province.

From what personal experience I have been able to gather at present, it has struck me that in the matter of temperance reform it is of the utmost importance that the people themselves should take the initiative. Of course, the Government should by all means help them to realize their wishes in this matter and the Government will certainly help the cause of temperance by restricting the sale of liquors and drugs, by putting a stop to illicit practices and by raising the price of excisable articles so as to generally discourage their use.

There is another limitation which I frankly admit is based chiefly on financial considerations. The Council is aware that next to Land Revenue and Stamps, Excise Revenue contributes a large share of the provincial revenues. I feel sure that the Council will agree with me that until a new source of revenue can be found it would be dangerous—I think I can use the word—it would be really dangerous to launch a scheme of total prohibition. The issue is clear and the choice of the House lies between fresh taxation and bankruptcy. There is no other way of getting out of it.

I find from the questionnaire issued by the Indian Taxation Committee that this aspect of the question is already engaging its attention. The committee is, I believe, collecting expert opinion on the subject from various sections of the Indian people. As a result of its exhaustive inquiries the committee will be in a position to give a well-thought-out and authoritative opinion in the matter. I think, therefore, Sir, that we should do well to await the committee's findings in the whole matter of Excise administration.

Meanwhile, I may assure the House that all that is possible under the present circumstances will be done to restrict the facility for supply consistently with adequate control and safeguards against illicit traffic. In his speech in introducing the Budget the Hon'ble the Finance Member has already shown by facts and figures the striking results of Government's Excise policy. I do not propose to tire the patience of the House by recapitulating further details. So far as opium is concerned—and opium is now looming large before the public eye—I may incidentally mention that the standard of legitimate consumption laid down by the League of Nations is 600 milligrammes per head per annum which is equivalent to a little over 6 seers per 10,000 of the population per annum. It is noteworthy that by a consistent policy of restriction of the facilities for supply and sale it has been possible in 19 out of 27 districts of the province to lower consumption below the standard fixed by the League of Nations. I hope the Council will think that this is

really encouraging and really hopeful. In the Mymensingh district consumption is 77 per cent. below the standard and in Dinajpur 55 per cent. It is also in contemplation to reduce consumption in the areas in which it exceeds the standard, by raising the issue price. That is very important and it has got to be done. The thorny question of local option is also engaging Government's careful attention and I hope it will be possible to solve it satisfactorily in the near future. I would further assure the members that I am as anxious as they are to arrive at a practicable scheme of local option suited to the conditions prevailing in this province and agreeable, I should say, to public opinion. I need hardly say that the fullest consideration will be given by Government to public opinion in this matter. In fact, the non-official representation on the Licensing Board for the Calcutta Municipalities has recently been increased for the added areas.

In conclusion, I would again point out to the House that the Budget provides only for the normal charge necessary for the efficient administration of the Excise Department. Although, as the members are aware, I am not responsible for the framing of the Budget, I can say this—that whatever the Excise policy may be and whatever difference of opinion there may exist in regard to it, there can be no two opinions that a staff is necessary for the adequate control of, and safeguard against, illicit traffic. On the other hand, if a policy of total prohibition is decided upon, it would still obviously be necessary to entertain a staff for the purpose of control and it is just possible that a larger staff may be required to secure this effectively. I am not sure of this but it is just possible. It is therefore clear, Sir, that whatever difference of opinion there may exist in regard to Excise policy, an efficient Excise Department is indispensably necessary in any case, and that it would be futile to cripple it by curtailing the demand which is now presented before the Council.

**Maulvi ABDUR RASCHID KHAN:** I beg to move—

(1) That the demand of Rs. 35,400 under the head "6A.—Excise—Superintendence—Other Gazetted Officer" (page 35, Civil Estimate) be refused.

(2) That the demand of Rs. 35,400 under the head "6A.—Excise—Superintendence—Other Gazetted Officer" (page 35, Civil Estimate) be reduced by Rs. 15,400.

(3) That the demand of Rs. 35,400 under the head "6A.—Excise—Superintendence—Other Gazetter Officers" (page 35, Civil Estimate) be reduced by Re. 1.

Had the bureaucracy chosen to follow the wishes and religious susceptibilities of the people over which Allah has ordained to place them no one would have been more glad to vote on this item than myself—not for the purpose of utilizing the machinery in the way it is now being used but in a quite contrary direction. I would have

utilised them not for introducing drugs into the country but for stamping it out of the country. This year my friend the Hon'ble the Finance Member has been more guided in his statement and speech about Excise Revenue. Last year he was jubilant to find "satisfactory and steady growth in (Excise) Revenue month by month" which was according to him due to "collapse of the non-co-operation movement" and improvement of commercial and industrial conditions of the province. This time the Hon'ble the Member describes the Excise policy as a "policy which has consistently been the restriction of the facilities for supply consistently with adequate control and safeguards against illicit traffic". But my friend should have added and safeguarded and increased the revenue. After the speeches of British delegates in the Opium Conference I do not consider any one has any doubt in his mind as to the policy of our self-appointed guardians. Evidences are not wanting to prove that our guardians employed agents for free distribution of opium to put our sorrows and miseries into the region of oblivion.

Sir, it has been said by the Government Member as well as in this House by the Hon'ble the Member in charge of Finance that "many of our local Advisory Boards show a marked disinclination towards reducing the facilities for obtaining opium and direct their activities more towards abolishing *ganja* and country-spirit shops". May I ask, Sir, what sort of people these Advisory Boards consist of? Do not members of Local Boards, Municipalities with Magistrates or Subdivisional Officers as the Chairmen constitute Advisory Boards for their respective jurisdiction? Is it not a fact that one-third of the members of these bodies are nominated members who are bound to dance to the tune struck by their overlords? Is it not a fact that a few self-seekers always find themselves elected under false pretensions or with official help or one or two elected members are seduced by local satraps by baits such as public prosecutorship or honorary magistrateship or by bestowal of so-called honours more appropriately called "tie-tails" and thus so-called constant majority is maintained in local bodies. What do we find here? The less said of these so-called representative bodies the better.

Even then what courtesy has been shown to these so-called Advisory Boards? Have all their recommendations been given effect to? From my personal experience I can speak that their recommendations are not heeded when it affects the revenue to the extent of Rs. 100 or more.

With these remarks, Sir, I beg to move my above motions.

**Babu BORODA PROSAD DEY:** Having heard the very encouraging and outspoken observations of the Hon'ble the Minister in charge of the Excise Department, whom I welcome as coming from the class of zamindars, I am emboldened to make a few remarks in regard to the policy which is pursued in connection with the so-called

Advisory Committees that are established with a flourish of trumpets in all the districts of this province. It has been said by the last speaker that these Advisory Committees generally consist of nominated members or commissioners who, for their own selfish ends, dance to the tune of the powers that be.

There is another side of the case. That side of the case—of which I for myself have got some personal experience is that we meet every year in these committees and try to make reductions in the number of excise shops, but the result is that our recommendations are not accepted. Generally, the Superintendent of Excise is there to sound the alarm of reduction in revenue, and even when we succeed in convincing the members of the committee that in the interest of temperance a particular shop should be abolished, that recommendation takes a year or so or sometimes more in receiving the attention of the higher authorities; even the courtesy of a reply to the request of the committee is not shown to them. If the next Advisory Committee repeats the same objection then only can they know that certain of their recommendations have not been accepted by the Excise Commissioner and that puts a full stop to the labours of that particular committee. On paper it looks very well that there are such committees in all municipal towns, and for all rural areas, but as a matter of fact the experience of the members of these committees is that their recommendations are treated with very scant attention. Generally, it is the case that the District Magistrate or the Subdivisional Officer who presides over these committees, is guided by the opinion of the Superintendent of Excise who always tries to save his own skin by sounding the alarm of reduction in revenue. As a matter of fact we find that within small distances there are more country liquor shops than there is need for, and the Commissioners with their best efforts fail to remove or abolish any of them. So that the spirit of the Excise policy which our Government always say they follow and which has been so well voiced by our Minister to-day is not carried out in actual practice, but it is a sort of showcase presented to the civilized world, so that if the Hon'ble the Minister in charge of the Excise Department really choses, and is supported by the Government, to carry on the Excise policy in the way that it should be, without regard to revenue which is not a very considerable quantity in the financial administration of this province or of India generally, I have, no doubt, that the result will be very beneficial to the public and will be cordially welcomed by them. With these few words I support the motion.

**SHAH SYED EMDADUL HAQ** spoke in the vernacular in support of the motions. The English translation of which is given below:—

Last year I made a speech making a motion for the disallowance of the entire outlay on the Excise Department. That motion was lost

probably by one or two votes. As a representative of my countrymen and the peace-loving cultivators and of Moslems, I am bound to speak against the demand moved on behalf of Government. Our Moslem sacred works declare the use of all intoxicants to be unlawful, whether in moderate quantities or otherwise. So no Moslem, consistently with his religious works can support this demand for Excise. In these circumstances in the last year it was in the hands of a Moslem Minister that this department was placed—I say that it has at any rate been an improvement—that this time this department has not been entrusted to a Moslem Minister. It has been entrusted to a Hindu Minister. But it does not seem that even in the Hindu or in other scriptures it is lawful. In all sacred works it is declared a sin. Henceforth even though the expense is incurred, I must ask whether it is proper for the British Government, which prides itself on its civilisation, to encourage such evil deeds for the sake of profit. Does it not really bring the English into disrepute with the rest of the world for taking this wrong path?

Even if the Government are attracted by the profits, will it be proper for us to assent to this demand? We are representatives of the people. Is it not our bounden duty to prevent the public from betaking themselves to the path of sin, from wasting their money and from moral retrogression? If as their representatives we see them being injured directly, are we still to assent to the demand? In the present instance, I also appeal to the Hon'ble Ministers not to fall into line with the Government side in the hopes of official advancement—if really the Ministers, who are our countrymen, assent to these unjust wishes on the part of the Government, co-operate with them, it is only for such co-operation that they are all incurring our distrust and it is for this reason that all the efforts of Government to constitute a Ministry are being nullified. If really they conduct themselves thus, they will never be able to win the attachment of the members of the Council, and repeated efforts to preserve them in office are bound to fail. If it is desired to promote the welfare of the country, efforts should be made by the Ministers to remove these matters of serious objection to the country, and Government should be provided by them with good advice in the matter. If these sources of income are closed, it has been said by the Ministers that new taxes will have to be imposed on the people of the country. But on this account it will never be proper to encourage this sinful thing. There is no justification at all for the authorities to enhance taxes. Even now more than two-thirds of the income which accrues from Bengal is taken away by the Government of India. Unnecessary increase of expenditure, placing a burden of self-government at the same time providing a scale of salaries unsuited to this country, increasing expenditure for various unjust reasons like these, and imposing fresh taxes repeatedly and increasing

them—and in future also Government may increase them at will,—the imposition of new taxation will mean merely loss of money and dearth of funds. But these things are causing a loss both of money and of righteousness. So all good men are bound to support the disallowance of this and similar demands.

**Mr. PRESIDENT:** Maulvi Md. Nurul Huq Chaudhury, do you wish to speak?

**Maulvi MD. NURUL HUQ CHAUDHURY:** I wish to speak, Sir, but I want to give preference to Babu S. C. Basu, he being the elder member.

**Babu SARAT CHANDRA BASU:** Mr. President, with reference to the matter of Excise, I may tell you that generally in other countries by "excise revenue" is meant that revenue which is derived from the taxes on the manufactures of the country. In India, whatever may be the ordinary meaning of excise, the prevailing idea is that it is a duty or rather the profit which is derived from the manufacture and sale of intoxicating drugs and liquors by Government, that is, things that do not cause production or stimulate manufacture, but retards manufacture. Now, the principal item of excise is the manufacture and sale of opium. This is a manufacture which is principally run by the Government itself a thing which is probably unknown in any other civilized country. Our Government manufacture articles for the perpetuation of that evil and the tax that is derived from it is not a tax on the Government's own manufacture, but it is a profit realized from the sale of the manufactured intoxicating drugs. I need not detain the Council

**The Hon'ble Sir HUGH STEPHENSON:** I rise to a point of order. Are the member's remarks strictly relevant to the three motions we are discussing? The demand is for Rs. 35,400.

**Mr. PRESIDENT:** The member's remarks are not relevant, but probably, if we hear them now, we shall not hear them again.

**Babu SARAT CHANDRA BASU:** If the Hon'ble Member bears with me for a little while, he will see the relevancy of my remarks. Now, quite apart from the commonplace observations as to the morality of the thing, there is one circumstance which creates a very great suspicion. In the machinery of the Government, we find that there are certain departments from which the members of the Civil Service are being gradually eliminated. Whatever might be the idea of the people regarding the Civil Service, there cannot be the least doubt in the mind of any one that the members of it are recruited from the best men of the world—men of education, men of ability and capacity and men about whose honesty there cannot be any doubt——

**Mr. PRESIDENT:** The merits of the Civil Service do not appear to arise on this motion.

**Babu SARAT CHANDRA BASU:** I am giving my reasons. Now, excise is one of the departments, like the departments of income-tax and police, from which the Indian Civil Servants are being gradually eliminated, because the members of the Indian Civil Service are people of conscience and the department of excise cannot be run by people who are educated and respectable and have a conscience to do their duty. (Hear, hear.) It is for this reason that it is one of those departments from which the respectable members of the Indian Civil Service are going away and the result is that the profit which is derived from this department is gradually increasing; and to cope with the increasing profit it has become necessary for the Government to increase the establishment. I beg to submit that this profit is not a desirable profit and, therefore, the establishment which makes this profit is equally undesirable and being conscienceless there ought to be reasonable cuts under the establishment expenses of this department.

**Maulvi MD. NURUL HUQ CHAUDHURY:** We have heard the maiden speech of the Hon'ble the Minister in charge of Excise who hails from Tangail in fact both the Ministers belong to Tangail and are zamindars. The Hon'ble the Minister has told us that he was in no way concerned with the preparation of the Budget and that he had no control over the administration or the policy of the department. I believe he also knows that for some time this department was under the control of His Excellency the Governor. It will, perhaps, be more correct to say that as His Excellency the Governor took upon his shoulders the responsibility of administering this department, particularly with the advice of some other members, he framed a Budget without thinking that the people of the province do not like the Excise policy. So my friend, the Minister, may be excused for what has been done by his predecessors or rather his ultimate predecessor who had charge of this department. I, as a Muhammadan, cannot support the Budget in which a large sum is being provided for expenditure and also the income that is being derived from the province of Bengal. According to us, Muhammadans, all sorts of intoxicating drugs are prohibited by our religion. In the last Council, there were two Ministers by whom the Transferred Departments were run and one of them to boot is a *Saiyad*, *i.e.*, one who is supposed to be a descendant of the Prophet, and one of the present Ministers is also a Saiyad. So instead of taking charge of the department himself, he has thrown it on the shoulders of his friend the Rajah Saheb.

**The Hon'ble Sir HUGH STEPHENSON:** Have the member's remarks really to do anything with the pay of gazetted officers? I think, Sir, there should be some limit to these personal remarks.

**Mr. PRESIDENT:** Maulvi Saheb, your remarks have really nothing to do with the motion under discussion. Your speech has for sometime been entirely devoted to personalities and appear to have little relation to the subject under debate. Would you please try to confine your speech to the matter under discussion? After you have finished your remarks, I shall adjourn the Council for the evening prayer of the Mussalman members.

**Maulvi MD. NURUL HUQ CHAUDHURY:** As there are three motions together, I was under the impression that while speaking on one of them, I could attack the Excise policy of Government.

**Mr. PRESIDENT:** Maulvi Saheb, you can attack the Excise policy when the whole grant comes under discussion, but you are passing remarks on the personalities of the present Ministers and of those who previously held their portfolios.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I was drawing my premises. As the Muhammadan religion lays down that a Muhammadan ought not have anything to do with Excise or Excisable articles——

**Mr. PRESIDENT:** You will be able to do it when the whole vote comes under discussion. We are now discussing the specific question of "Excise Superintendents, etc."

**Rai HARENDRANATH CHAUDHURI:** When shall we be allowed to speak on the general policy of this department?

**Mr. PRESIDENT:** So many motions are standing in the name of Maulvi Abdur Raschid Khan that it is very difficult to say. The proper time for speaking on the general policy of the department will come when we take the motion that the demand for Rs. 25,77,000 under the head "6.—Excise (Transferred)" (page 35, Civil Estimate) be refused.

**Rai HARENDRANATH CHAUDHURI:** If we are not inclined to press that motion, Sir, what will happen?

**Mr. PRESIDENT:** If you are not inclined to press that motion that is a matter for yourself. You asked me when an opportunity would come to discuss the general policy of the department, and I have pointed out that it will be given to you when we reach motion No. 227. Motion 226 is directed to opium and you can then discuss the opium policy. Another opportunity will arise when we come to motion No.

244. The motion before the Council relates to Excise Superintendence and that is quite clear.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Sir, I bow to your ruling. But I thought that as the Council was discussing the question of the reduction in the demand for the Excise staff, I could attack the policy of the department——

**Mr. PRESIDENT:** You can do that under motion No. 227, as I have said.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Are you now going to adjourn the Council for prayer?

**Mr. PRESIDENT:** I have already intimated that when you have brought your remarks to a close I shall adjourn the Council for 15 minutes and I am now waiting for you.

**Maulvi MD. NURUL HUQ CHAUDHURY:** In this case, Sir, the demand for the grant is for Rs. 35,400. These Superintendents direct the whole policy of the department. Unless and until we get at the root of the department, *i.e.*, we refuse the pay of the gazetted officers, who carry out the policy laid down by the department we cannot do anything, and this being also a transferred subject, I believe, His Excellency the Governor has got no power to restore it, as His Excellency has said it on many occasions. So if we can cripple the department bit by bit, then we can control the whole policy in relation to Excise.

The Council then adjourned for 15 minutes.

After the adjournment.

**Babu BEJOY KRISHNA BOSE:** I only rise to ask for an information in regard to the three items Nos. 95 to 97. I take it that the object of the mover is either to refuse the grant or reduce it by a certain amount. I find from page 35 of the Civil Budget Estimates that there are three gazetted officers—two on Rs. 1,200 and one on Rs. 500. That costs Government Rs. 40,778 in 1923-24, in the shape of pay. But in the Budget estimates of 1924-25 the cost was shown as Rs. 34,800. In the Revised estimate again the cost is put down at Rs. 39,000 in the shape of their pay. These different figures, namely, Rs. 35,400, 39,000, Rs. 34,800 and Rs. 40,778 do not tally with one another and I cannot understand why in the case of the same number of officers the figures should vary so much.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** Sir, may I answer the question of my hon'ble friend?

**Mr. PRESIDENT:** If you wish to do so, Raja Saheb.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** Then I can speak on the three motions and reply to the question of my friend, Mr. Bose, at the same time.

Sir, I have made it very clear that I must have a very efficient staff to control the department and I do not see my way to reduce it at present without examining the whole thing very carefully and I have promised the House that I shall go into the details very carefully. In the meantime I can assure the gentlemen who have offered their criticisms to me that I shall give my very best attention to them and try to formulate a policy which will give them satisfaction. Under the circumstances I think I am perfectly justified in asking them to withdraw their motions and give me a chance to give them satisfaction with regard to the Excise policy.

**Babu BEJOY KRISHNA BOSE:** Sir, my question still remains unanswered.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** As to Bejoy Babu's question I think it was due to the Deputy Commissioner being on leave. That is why there is this variation. In fact, whenever there is such variation it is due to leave being granted to some officers. In any case if the hon'ble member wants further information, I trust he will not deny me the privilege of giving me time and notice so that I may go into the matter fully and give him a further reply.

The motions (1) and (2) of Maulvi Abdur Raschid Khan were then put and lost.

The motion (3) of Maulvi Abdur Raschid Khan was then put.

**Mr. KIRAN SANKAR ROY:** Sir, I think Mr. K. C. Ray Chaudhuri entered the Chamber after the doors were closed.

**Mr. K. C. RAY CHAUDHURI:** Sir, I got into the Chamber before you announced the decision.

**Mr. PRESIDENT:** Did you come in after the doors were closed?

**Mr. K. C. RAY CHAUDHURI:** I got in just as the doors were being closed.

**Mr. PRESIDENT:** The hon'ble member seems to have got on the right side of the door this time.

The division was taken with the following result:—

**AYES.**

Ahamad, Maulvi Ashruddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.

Chakravarti, Babu Jogindra Chandra,
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Bereda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohan.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Roy, Babu Sateowripati.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Hafiniranjan.
Sen, Mr. R. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Taraidar, Maulvi Rajib Uddin.

NOES.

Abbatt, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jaithdra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Carcaran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. C. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prasad.
Lal Mahammad, Haji.
Liddell, Mr. H. C.
Masih, Mr. Syad M.
Mitter, Sir Pravash Chunder.
Marono, Dr. H. W. B.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Rath, of Santosh.
Roy, Raja Manikli Singh.
Salem, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 56 and the Noes 58, the motion was lost.

**Maulvi ABDUR RASCHID KHAN:** I move the following motions without any speech:—

(*a*) That the demand of Rs. 25,680 under the head " 6A.—Excise—Superintendence—Inspectors and Sub-Inspectors " (page 35, Civil Estimate) be refused.

(*b*) That the demand of Rs. 25,680 under the head " 6A.—Excise—Superintendence—Inspectors and Sub-Inspectors " (page 35, Civil Estimate) be reduced by Rs. 10,680.

(*c*) That the demand of Rs. 25,680 under the head " 6A.—Excise—Superintendence—Inspectors and Sub-Inspectors " (page 35, Civil Estimate) be reduced by Re. 1.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I beg to oppose these amendments on grounds which I have already put forward.

Motions (*a*) and (*b*) of Maulvi Abdur Raschid Khan were then put and lost.

Motion (*c*) of Maulvi Abdur Raschid Khan was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Basu, Babu Sarat Chandra.
Bose, Babu Bejay Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Syamkes.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rab.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mahan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Day, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Masih, Mr. Syed M.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Mukerji, Mr. S. C.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sanker.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sanker.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. M.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.

Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jenmaway, Mr. J. N.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Raja Manilal Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 58 and the Noes 51, the motion was carried.

## Adjournment.

The Council then adjourned till 3 P.M. on Wednesday, the 18th March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 18th March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 124 nominated and elected members.

### Starred Question

### (to which oral answer was given).

### Expenditure under "15.—Irrigation".

***XLVII. Mr. N. C. SEN:** Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) the details of the expenditure of Rs. 16,62,000 under the head "15.—Irrigation" financed from ordinary revenue; and

(*ii*) whether the dredgers *Ronaldshay*, *Cowley* and *Burdwan* are to be scrapped and the money spent on them utilised on actual works?

**MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia):** (*i*) A statement is laid on the Library table

(*ii*) The answer is in the negative.

### The Budget of the Government of Bengal for the year 1925-26.

### Demands for Grants.

The discussion on the demands for grants was then resumed.

**Maulvi ABDUR RASCHID KHAN:** I move—

that the demand of Rs. 36,900 under the head "6A.—Excise—Superintendence—Clerks" (page 35, Civil Estimate) be refused;

that the demand of Rs. 36,900 under the head "6A.—Excise—Superintendence—Clerks" (page 35, Civil Estimate) be reduced by Rs. 6,900;

that the demand of Rs. 36,900 under the head "6A.—Excise—Superintendence—Clerks" (page 35, Civil Estimate) be reduced by Re. 1.

**MINISTER in charge of EXCISE DEPARTMENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri of Santosh):** I explained the whole situation yesterday, and I made an appeal to the House to give me more time to examine the details. It was my hope that the Council would be pleased to withdraw the amendments and give me more time to examine the question in all its details. But as these amendments are now being pressed, it is my painful duty to oppose them, because I am afraid that the efficiency of the administration might suffer, if without examining the details, I were to agree to these motions. As I have previously indicated, I am still prepared to give an assurance to the Council to the effect that if these matters are brought before me—and the hon'ble members are welcome either at my place or at my office to discuss the details, and if I find that there is any possibility of my accepting any of the suggestions, I would most gladly do so. In view of this, I think, Sir, that these amendments will not be pressed just at present and for reasons that I have already put forth, it is my painful duty to oppose them. The amendments refer to the clerical establishment and this is actually necessary for carrying on the work of the Excise Commissioner and the Deputy Commissioners, and its reduction or wholesale disbandment is an impossible proposition At least, I think it is absolutely impossible for me to say that this can be done, but if it is possible, some reduction may be effected, but then it is premature so far as I am concerned to say anything definite. I can give this assurance once again, that if all these matters are brought up to me and I am given sufficient time to go into details, I will give my best consideration to the proposals, and I will certainly see what can be done. In fact, an office cannot go on without clerks. I think it will be agreed by everyone present here that if an office is to continue, and if you want to see that its affairs are conducted efficiently and properly without allowing public interest to suffer, I think it will be admitted by all that clerks are most necessary. In fact they run the whole show, more or less, and I think these clerks are absolutely indispensible and they should be retained. In fact, it will be very difficult for me to be responsible for any difficulties that may hereafter arise if, without going into the question more fully, I were to say that these clerks could be sent away. It is very difficult as I see at present to do without these clerks, and their services have got to be retained. The increased provision is due to the increments on the time-scale. That is very important, and the Council should take that into consideration. But I do not say that no improvement can be effected, and I have already indicated my wish and desire to have a full discussion with the members who have brought forward these motions, and if we

can find any way out of the difficulty, we shall certainly try to do what is possible.

The motions were then put and lost.

The following motions were called but not moved:—

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 32,057 under the head '6A.—Excise—Superintendence—Servants' (page 35, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 32,057 under the head '6A. Excise—Superintendence—Servants' (page 35, Civil Estimate) be reduced by Rs. 24,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs 32,057 under the head '6A. Excise Superintendence Servants' (page 35, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 3,072 under the head '6A. Excise Superintendence Temporary Establishment' (page 35, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 3,072 under the head '6A. Excise Superintendence Temporary Establishment' (page 35, Civil Estimate) be reduced by Rs. 1,500."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 3,072 under the head '6A. Excise Superintendence Temporary Establishment' (page 35, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** I move—

that the demand of Rs. 18,000 under the head "6A.—Excise—Superintendence—Travelling Allowances" (page 35, Civil Estimate) be refused;

that the demand of Rs. 18,000 under the head "6A.—Excise—Superintendence—Travelling Allowances" (page 35, Civil Estimate) be reduced by Rs. 12,000;

that the demand of Rs. 18,000 under the head "6A.—Excise—Superintendence—Travelling Allowances" (page 35, Civil Estimate) be reduced by Re. 1.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I have to oppose these amendments as well. The provision represents travelling allowances for 2 Deputy Commissioners, 5 Inspectors of the Distillery Branch and the Excise Bureau, 10 Sub-Inspectors, 33 petty officers and 88 peons and servants attached to the bureau.

The duties of these officers in connection with supervision and control involve constant touring, and therefore I must oppose these amendments.

The motions were then put and lost.

**Maulvi ABDUR RASCHID KHAN:** I beg to move that the demand of Rs. 100 under the head "6A.—Excise—Superintendence—Hill Allowances" (page 35, Civil Estimate) be refused.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I have to oppose this motion as well. The Excise Commissioner is a touring officer, and as the head of a department he has to go to the Hills in connection with inspection work. He has also to accompany Government to the temporary headquarters at Darjeeling when necessary. The provision is a very small one, only Rs. 100, and it is for the allowance of the Commissioner's Confidential Assistant and peons; therefore, it is not possible for me to accept the motion.

The motion was then put and lost.

**Maulvi ABDUR RASCHID KHAN:** I beg to move -

that the demand of Rs. 10,000 under the head "6A.—Excise—Superintendence—Rewards" (page 35, Civil Estimate) be refused;

that the demand of Rs. 10,000 under the head "6A.—Excise—Superintendence—Rewards" (page 35, Civil Estimate) be reduced by Rs. 5,000

This extraordinary demand of providing funds for rewarding a man for doing his duty is very astonishing. Are they not paid servants of Government and is it not their duty to bring to book those culprits who violate the laws of the land? If without tips Government servants become slow to perform their legitimate duties, is it not probable that higher tips from the other side may induce them to wink over the crimes which they are in duty bound to bring to light. It was only the other day that an European Magistrate of Calcutta found a man, seized for smuggling, not guilty and was of opinion that the evidence including diaries of officials produced by the police was concocted.

Sir, this sort of thing is only the logical consequence of provision for bribes for doing ones own duties.

There are various other ways for encouraging a dutiful servant and chastising a negligent one. But this sort of rewards should not be encouraged.

**Babu BIJOY KRISHNA BOSE:** I beg to support the first motion which has just now been moved. This is the only Department of Government in which we find provision made for rewards in every branch of its administration; here it is Rs. 10,000 in the administrative establishment, there Rs. 35,000 in another establishment; in another place it is Rs. 52,000

and so on. I find from page 23 of the Excise Administration Report of Government for 1923-24, that of the total sums distributed, 46·8 per cent. was paid to informers and others, 33·7 per cent. to Excise officers, and 19·4 per cent. to other officers. This is the only instance I find in which people who figure as prosecutors or informers have a lien on the conviction. They press their cases with false evidence and witnesses, so that on conviction they get a reward. Of this reward, 46·8 per cent. goes to the Excise officers and the balance is divided between the informers and other people. (A VOICE: to witnesses.) I do not know whether to witnesses but goes to other people. This subject was brought to the notice of the Retrenchment Committee and they made certain recommendations in their report. It is stated in the Administration Report of the Excise Department that effect has been given to that recommendations of the Retrenchment Committee, but I find from paragraph 12 on page 4 of the Administration Report that the decrease under rewards was due to the adoption of a new system of rewards recommended in the concluding portion of paragraph 27 of the report of the Bengal Retrenchment Committee. Now what is the decrease? I find from page 35 of the Budget that the actuals for 1923-24 on account of rewards were Rs. 2,611; in the budget estimates for 1924-25, Rs. 10,000 was provided, and this year Rs. 10,000 has also been provided. Now which is correct? The report of the Government which says that the decrease is due to the adoption of a new system of granting rewards as recommended in the report of the Retrenchment Committee or the budget. The decrease consisted in the amount rising from Rs. 2,611 in 1923-24 to Rs. 10,000 in 1924-25! Is this a decrease? In paragraph 27 it is stated I crave the indulgence of the House to read this recommendation of the Bengal Retrenchment Committee—

> The increase under rewards has been very marked In 1915-16 it was Rs. 76,628, and in 1921-22 it rose to Rs 1,76,000; the rewards increased by a lakh of rupees.
>
> We have obtained figures of the rewards granted in 1921-22 to excise officers in Calcutta, and the following instances show that there is very great extravagance in this respect —

| *Rank.* | *Pay.* | *Rewards.* |
|---|---|---|
| | Rs. | Rs. |
| Sub-Inspector | 110 | 1,367 |
| Sub-Inspector | 80 | 1,007 |
| Sub-Inspector | 100 | 799 |
| Sub-Inspector | 100 | 779 |
| Petty Officer | 20 | 1,078 |
| Petty Officer | 25 | 795 |
| Petty Officer | 30 | 707 |
| Petty Officer | 25 | 683 |
| Petty Officer | 20 | 490 |
| Petty Officer | 30 | 427 |
| Peon | 16 | 254 |
| Preventive Officer | 50 | 746 |

| *Rank.* | *Pay.* | *Rewards.* |
|---|---|---|
| | Rs. | Rs. |
| Peon | 14 | 162 |
| Peon | 11 | 590 |
| Petty Officer | 25 | 430 |

We think that in these circumstances the rewards granted are excessive and that a change of system is indicated. We would like to see a record kept of good detective work, and a distribution of rewards made at the end of the year in recognition of such work. But in the case of no officer we think should the amount given in rewards exceed six months' pay, and in the great majority of cases it should be very much less. We think that Government will be doing the Excise staff handsomely if they set aside annually for rewards a sum of not more than Rs. 1 Lakh."

That was the recommendation of the Retrenchment Committee, and I find that these rewards instead of decreasing are increasing in every branch of the Excise Department I therefore commend this motion to the acceptance of the House.

**Babu KHAGENDRA NATH GANGULY:** Sir, the new Hon'ble Minister has very kindly enlightened the members of this Council about his catholic intentions to resurrect the people of Bengal from the evil effects of drug and drink. His pious professions on behalf of temperance were admirably couched, but I would call him a novice in the field of politics if he honestly believes that he can translate even a fragment of his vocal professions into action. The grinding policy of the bureaucracy is inexorable and woe betide the person, who would try to alter the course of that policy. Be he a Minister or be he the Governor of a Province—down must he go, if he has the audacity to make any attempt to stem the tide of bureaucratic advance. This excise administration is one of the ugliest blots that have disfigured the administrative machinery of Government. Sir, we are dealing with the question of rewards for the officers of the department. Well, rewards are and should be granted to persons who have shown merit in the matter of detection of culprits or who have succeeded in bringing *more* money into the coffers of the Government. We, the children of the soil, know at what cost and at what degradation of the poor people the money for the payment of the rewards is extorted. From the actual expenditure, as noted in the Civil Estimate (page 35), under the item of "Rewards" we find the amount came up to Rs. 2,611 only, but the provision this year has been fixed at Rs. 10,000. We have just heard from Babu Bejoy Krishna Bose how this amount was distributed last year. This fact shows that the amount has been estimated without any reference to the actual expenses. In other words, the amount has been fixed at the sweet will of the officers concerned, and the Hon'ble Minister has been put forward to defend the indefensible conduct of hide-bound officials. We have heard *ad nauseum* from the Hon'ble Minister since yesterday that he would be quite

and so on. I find from page 23 of the Excise Administration Report of Government for 1923-24, that of the total sums distributed, 46·8 per cent. was paid to informers and others, 33·7 per cent. to Excise officers, and 19·4 per cent. to other officers. This is the only instance I find in which people who figure as prosecutors or informers have a lien on the conviction. They press their cases with false evidence and witnesses, so that on conviction they get a reward. Of this reward, 46·8 per cent. goes to the Excise officers and the balance is divided between the informers and other people. (A VOICE: to witnesses.) I do not know whether to witnesses but goes to other people. This subject was brought to the notice of the Retrenchment Committee and they made certain recommendations in their report. It is stated in the Administration Report of the Excise Department that effect has been given to that recommendations of the Retrenchment Committee, but I find from paragraph 12 on page 4 of the Administration Report that the decrease under rewards was due to the adoption of a new system of rewards recommended in the concluding portion of paragraph 27 of the report of the Bengal Retrenchment Committee. Now what is the decrease? I find from page 35 of the Budget that the actuals for 1923-24 on account of rewards were Rs. 2,611; in the budget estimates for 1924-25, Rs. 10,000 was provided, and this year Rs. 10,000 has also been provided. Now which is correct? The report of the Government which says that the decrease is due to the adoption of a new system of granting rewards as recommended in the report of the Retrenchment Committee or the budget. The decrease consisted in the amount rising from Rs. 2,611 in 1923-24 to Rs. 10,000 in 1924-25! Is this a decrease? In paragraph 27 it is stated -I crave the indulgence of the House to read this recommendation of the Bengal Retrenchment Committee—

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**Babu KHAGENDRA NATH GANGULY:** Sir, the new Hon'ble Minister has very kindly enlightened the members of this Council about his catholic intentions to resurrect the people of Bengal from the evil effects of drug and drink. His pious professions on behalf of temperance were admirably couched, but I would call him a novice in the field of politics if he honestly believes that he can translate even a fragment of his vocal professions into action. The grinding policy of the bureaucracy is inexorable and woe betide the person, who would try to alter the course of that policy. Be he a Minister or be he the Governor of a Province—down must he go, if he has the audacity to make any attempt to stem the tide of bureaucratic advance. This excise administration is one of the ughest blots that have disfigured the administrative machinery of Government. Sir, we are dealing with the question of rewards for the officers of the department. Well, rewards are and should be granted to persons who have shown merit in the matter of detection of culprits or who have succeeded in bringing more money into the coffers of the Government. We, the children of the soil, know at what cost and at what degradation of the poor people the money for the payment of the rewards is extorted. From the actual expenditure, as noted in the Civil Estimate (page 35), under the item of "Rewards" we find the amount came up to Rs. 2,611 only, but the provision this year has been fixed at Rs. 10,000. We have just heard from Babu Bejoy Krishna Bose how this amount was distributed last year. This fact shows that the amount has been estimated without any reference to the actual expenses. In other words, the amount has been fixed at the sweet will of the officers concerned, and the Hon'ble Minister has been put forward to defend the indefensible conduct of hide-bound officials. We have heard *ad nauseum* from the Hon'ble Minister since yesterday that he would be quite

willing to satisfy the members about the necessity or otherwise of the grants, if sufficient time is granted to him. We are sorry we cannot agree to this proposition, for there is no clear indication how and in what way he will be able to help us. For the above reasons I support the motions moved by Maulvi Abdur Raschid Khan.

**Babu SARAT CHANDRA BASU:** Permit me to object to this reward affair on moral grounds. The staff are employed in the Excise Department not without pay, but with pay. The pay may be adequate or inadequate. If the pay is inadequate, then it is high time that there should be a reconsideration about the gradation of pay that is offered to these officers. But it is always demoralising and exciting an influence in the minds of the officers employed in the Department, that they can hope to get something in addition to their pay, which would enable them to butter their bread. If such a stimulus is given to the officers, then where is the check for exciting a hope in their minds, an expectation that they may get themselves rewarded by taking money from other sources? If rewards be the consideration coming from their employers, *i.e.*, the Government, then a higher reward may be a better consideration for doing their work in a different way, so that I may submit to you, Mr. President, that where reward is the objective in any Government department, you cannot place a line as to how far you are to proceed and where you are to stop. If the officers of the Exice Department are entitled to any rewards, why should not the officers of other departments, say Judicial or Executive, also get rewards? By stretching the argument a bit further, you will do very well to consider, when the discussion regarding the Ministers' salaries takes place, whether there should not also be a reward to them for the effective discharge of their duties. This reward affair has a very demoralising influence in the minds of the employees, and I submit that everyone should be entitled to rewards including our poorselves who have come here without pay at all.

**CHIEF SECRETARY to GOVERNMENT (Mr. L. Birley):** As I was for a short time Collector of Calcutta and had to deal with Excise, I have learnt a little about this question. At first I thought that a large sum was being spent in rewards. Perhaps I thought a little as the Retrenchment Committee thought that it was not necessary that so much should be spent. When I learnt more about it, I found that there were enormous opportunities for Excise officers to make money, and that it was impossible to expect, with the very large offers that might be made to them, that unless the alternative could be made attractive, they would not do their work honestly. Therefore, the criticism made about petty officers getting large rewards seems to me to be the least applicable of all. Since the price of opium has been put up, there has been a very great deal of smuggling, and unless we are going

to pay very substantial rewards to Excise officers there is not the slightest chance of stopping smuggling of opium, and consequent loss of revenue.

Another reason why it is necessary to pay substantial rewards is that this work of detection is dangerous and requires courage, and unless a man is going to depend a good deal on the actual work which he turns out, it is very easy for him to sit down and say that he has not been able to do anything. That is why in these cases it is necessary to give large rewards, and that is the reason why we offer rewards to Excise officers, but unfortunately rewards are not offered to members of the Legislative Council.

**Babu MANMATHA NATH ROY:** In opposing this demand about "Rewards," I would wish to express my surprise and disappointment at the statement made by Mr. Birley. The statement discloses a hopeless and helpless state of affairs in this particular department. If these men cannot be made to do their work and have no sense of duty unless they have a stimulus, the sooner the department is abolished the better it is for us, the Government and the country. If the pay is not regarded to be attractive or adequate, some other system ought to be introduced, and not the payment of rewards in addition to pay. If pay is not found to be sufficient in this particular department, the system of pay ought to be abolished and in its place a system of remuneration in proportion to the number of cases of detection or conviction should be introduced. The statement of Mr. Birley does not in any way support the Government; on the other hand, it strengthens our position that the present system of payment of rewards ought to go.

**Babu AMULYA DHONE ADDY:** The question is whether we should grant rewards or not. I beg to submit that the present system of giving rewards should be continued but at the same time the amount of reward should be materially reduced. It appears that the officers of this Department are underpaid. The salary of a peon is Rs. 14 only and that of a Sub-Inspector ranges from Rs. 80 to 110 per month. You cannot expect honest, hard-working and efficient Sub-Inspectors on a salary of Rs. 80—110 and therefore it is desirable that some rewards should be paid to them. At the same time I beg to submit that the rewards are excessive. It appears from the Retrenchment Committee's Report of 1923—a Committee which was appointed by the Government and which took into consideration the opinion of several public bodies and heard about 100 witnesses—that rewards are excessive and the Committee have recommended a reduction of Rs. 74,000 out of the total grant. It appears from the Report that a peon drawing Rs. 14 a month got a reward of Rs. 590 and a Sub-Inspector on Rs. 80 a month got a reward of more than a thousand rupees. It also appears from the said Report that the number of cases ending in conviction has gone down, but the amount of rewards has been increased. Therefore I submit that

hough we are not in a position to do away with such rewards altogether ve should at last reduce the amount.

**Babu BORODA PROSAD DEY:** This Department of Excise begins vith vice, it has vice in its mid-way, and it closes in vice once again. This system of reward is the system of vice in which it closes. Sir, the eward is given not only to the officers of the Department but also to he informers who inform the officers about the illicit sale or manufacture of excisable articles. Sir, whenever a case like this is brought before he Court, the chances of unholy combination between the officers of the Department and the informers in order to secure conviction by bringing n false evidence are very great. They know that their share of rewards vill depend upon the amount of the fines realised. So the inducement o them is very great to have as many as possible witnesses of doubtful character in order to secure convictions, so that their rewards may be as great as their desire for the same can be. I do not know whether the rying Magistrates are given any share of these rewards. If that be the ase I think the amount of fines would be still greater, because it rests with them to inflict these fines. So this system may also be improved upon—if it is not already so—by bringing in trying Magistrates to have a share of these rewards. Sir, men are paid from Government funds to lo certain work and I do not see what reason can there be for giving them any reward for doing the work for which they are paid. In this way the system of rewards only increases the chances of many false cases; and as a matter of fact we know of cases being brought in connection with excisable articles in which it was known among the local public that simply on account of these rewards such cases were brought, and that false witnesses were secured to get conviction.

**Maulvi ABDUL GAFUR:** Sir, this system is very vicious as the previous speaker has said. These rewards generally go to some *goondas* who are regularly paid and through whom these cases are brought before the Court. We, in the mufassal, know all this and we know that false evidence is also created before the Court. Therefore, this system must go. These *goondas* go at night-fall and put something in the houses or in the eaves of huts and get some Sub-Inspectors to detect and then bring false cases. This is most objectionable and ought to be done away with.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I am really surprised to see that the advocates of temperance and those who want to introduce reforms in the excise policy of Government are opposed to this. In fact this has been recognised as a legitimate expenditure for the detection of crime and illicit practices; and I am really surprised how those who want to put an end to the illicit practices can advocate the absolute doing away of the system which leads to the detection of crime. It has been said that the Retrenchment Committee has condemned this practice. So far as I am advised it has not actually

condemned the practice but it has certainly curtailed the expenditure to a very great extent; and although I am not responsible for the present excise policy of Government I find that we have not exceeded the amount which the Retrenchment Committee has fixed, *viz.*, a lakh of rupees. It has been suggested that in a particular year, the expenditure was much less than Rs. 10,000. Quite so. But the hon'ble member perhaps does not know that that particular year was very poor in respect of detection of crime and the Department had not much to give as rewards. When the detection is poor it is natural that we have not got to pay a large amount as rewards. Well, of course it is for the Advisory Committees which Government have formed and which are composed of representatives of the people to suggest the ways and means; and if any proposal which is better than the existing one could be made by them, I do not see any reason why we should not consider that. If we were to abolish this system altogether then the result will be, I am afraid, that you will in a manner encourage illicit practices which should be avoided by all means. I, therefore, appeal to the House not to take any step without maturer consideration.

**Babu BORODA PROSAD DEY:** May I rise to a point of order, Sir? The Hon'ble Minister has mentioned the Advisory Committee. May I say that the Advisory Committee has no power —

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** That is not a point of order. The matter can be raised on the discussion on the main question.

The motion that the demand of Rs. 10,000 under the head '6A.—Excise—Superintendence Rewards' be refused was then put and division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bancrjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Daud, Mr. M.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Heque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Sasar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.

Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Nemanta Kumar.
Sarker, Babu Nalinranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Astaf.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corsoran, Mr. B. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. D. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Gocnka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Durner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H,
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Moreno, Dr. H. W. B.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Fahlowan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 61 and the Noes 61, the Hon'ble the President gave his casting vote on the side of the Noes and so the motion was lost.

The motion that the demand of Rs. 10,000 under the head '6A.—Excise - Superintendence—Rewards' be reduced by Rs. 5,000 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Ashmuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Narendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mehini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akahi Chandra.
Daud, Mr. M.
Dey, Babu Sereda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.

Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammad, Haji.
Mahammad, Maulvi Sasar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Masker, Babu Hem Chandra.
Neogi, Babu Manmohan.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Ray, Babu Satcowripati.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinikanjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Attaf.
Banerjea, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. N.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. E. E. G.
Farequi, Khan Bahadur K. C. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Garner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prasad.
Law, Raja Reshee Case.
Liddell, Mr. H. G.
Masih, Mr. Syed M.
Morgan, Dr. H. W. B.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray, Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manikeli Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

Before announcing the result of the division—

**Mr. PRESIDENT:** Maulvi Sayedul Hoque, did you hear me say "lock the doors"? Did you come in after I said "lock the doors"? Let me remind you of the procedure. I say "lock the doors" twice; first when I put the motion, and next after the members have passed out into the lobby. Did you come into the room between the two announcements?

**Maulvi SAYEDUL HOQUE:** I did not leave the room at all.

**Mr. J. M. SEN GUPTA:** May I point out that Mr. Birley came into the room when you were putting the motion?

**Mr. PRESIDENT:** I am going to have all these defects put right. I am ordering that the doors at both ends shall be locked. No member will be able to come in, while a division is proceeding.

**Mr. J. M. SEN GUPTA:** If a complaint has been made and you ask a member on this side of the House whether he came in at the proper time, I think it is up to you to ask Mr. Birley when he came in.

**Mr. PRESIDENT:** I have asked Maulvi Sayedul Hoque and I shall make inquiry from Mr. Birley as well. It does not make any difference to the result of the division.

The Ayes being 62 and the Noes 59, the motion was carried.

The following motion was not put as it was covered by the foregoing decision of the Council:—

"That the demand of Rs. 10,000 under the head '6A.—Excise—Superintendence—Rewards' (page 35, Civil Estimate) be reduced by Re. 1."

The following motions were called but not moved:—

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Contract Contingencies' (page 35, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Contract Contingencies' (page 35, Civil Estimate) be reduced by Rs. 3,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Contract Contingencies' (page 35, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,200 under the head '6A.—Excise—Superintendence—Other Contingencies—Rents, Rates and Taxes' (page 35, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,200 under the head '6A.—Excise—Superintendence—Other Contingencies—Rents, Rates and Taxes' (page 35, Civil Estimate) be reduced by Rs. 300."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,200 under the head '6A.—Excise—Superintendence—Other Contingencies—Rents, Rates and Taxes' (page 35, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Other Non-contract Charges' (page 35, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Other Non-contract Charges' (page 35, Civil Estimate) be reduced by Rs. 4,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 6,000 under the head '6A.—Excise—Superintendence—Other Non-contract Charges' (page 35, Civil Estimate) be reduced by Re. 1."

**Maulvi Md. NURUL HUQ CHAUDHURI:** I beg to move that the demand of Rs 1,75,000 under the head "6A.—Excise—Superintendence" (page 35, Civil Estimate) be refused.

As I said yesterday if you cut the root and branch, that is those officers who administer the Department, and if you cut the sum of Rs. 50,000, then some of the officers ought to go and the Department would be crippled and the Excise policy of Government would likewise be crippled—

**Mr. PRESIDENT:** Maulvi Sahib, your amendment is No 127, which is for refusal of the whole amount You are speaking on the next

**Maulvi Md. NURUL HUQ CHAUDHURI:** I move that the whole grant be refused.

**Babu KHAGENDRA NATH CANCULY:** I beg to move that the demand for Rs 1,75,000 under the head "6A—Excise Superintendence" (page 35, Civil Estimate) be reduced by Rs. 50,000.

Permit me to say that in my opinion the huge sum of Rs 1,75,000 for "Excise Superintendence" is absolutely unwarranted. Unless and until the cost of superintendence be cheapened, it becomes incumbent on the Government to increase expenditure to meet the charges under the head of Superintendence. Every one of us knows very well, how and by what means and through what system the supervision work of the Excise Department is carried on. Well, if the professions of the Hon'ble Minister have any basis in truth and sincerity, then there will be very little difficulty in convincing the people of the country that Government does not want to exploit the vice of drink and drug. Bring down the cost of Superintendence, try to do away with the big distilleries and manufactories that produce excisable articles—then and then only the people can have faith in your professions. Babu Sarat Chandra Bose told us yesterday that men of honesty and conscience are gradually leaving the department of Excise This is a sad commentary on the excise policy and administration of the Government. I hope that this policy which is repugnant alike from the material and moral point of view should be given the go-by and poor tax-payers should be relieved of the unnecessary heavy burden.

The following motion was called but not moved:—

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 1,75,000 under the head '6A.—Excise—Superintendence' (page 35, Civil Estimate) be reduced by Rs. 42,000."

**Rai SATYENDRA NATH ROY CHAUDHURI Bahadur:** I beg to move that the demand of Rs. 1,75,000 under the head "6A.—Excise—Superintendence" (page 35, Civil Estimate) be reduced by Rs. 25,000.

Before 1915 the excise work in the district was supervised by Deputy Collectors under the control of the District Officers. Since then whole-time Superintendents have been employed. This has increased the subordinate staff of inspection in case of Inspectors from 55 to 62 and in the case of Sub-Inspectors from 237 to 257.

The work of the District Officers has now been greatly relieved by the addition of an Additional Magistrate and I think the reversion to the old system will not in any way impair the efficiency of the service. I belive most of the mufassal members are aware how excise cases are managed now and the people know very well the standard of effeciency this staff has got and the mode of their working. I entirely agree with the recommendations of the Retrenchment Committee that a sufficient number of Inspectorates and Sub-Inspectorates can be reduced and the administration can be carried on with the help of one Deputy Commissioner instead of three as at present. I propose to read the recommendations of the Retrenchment Committee on this subject. They run as follows:—

The grounds for the formation of a separate excise service were broadly to increase efficiency and to relieve District Officers of work. The District Officer is situated differently to-day as regards work, and we think the system in force prior to 1915 could be reverted to without loss of efficiency. There is abundant evidence in support of this view. In the smaller districts an excise Deputy Collector will probably not be fully employed by excise work, and we see no objection to his being assigned other duties provided excise administration is regarded as his primary duty, and has the first call on his time. In large districts a Deputy Collector engaged wholly on excise work will be necessary. In all cases the district staff should be responsible to the District Officer, and the rules of the department should be modified to secure this.

We consider a substantial reduction can be made at once in the number of Inspectors. The average number of Sub-Inspectors which an excise Deputy Collector will have to supervise is about 8 or 9. In some districts it is considerably more, but, speaking broadly, we think that where the number of Sub-Inspectors does not exceed 10 there is no need to place an Inspector between them and the Deputy Collector. Under our proposals subdivisional officers will be required to take a real part in excise administration which in itself will lessen the need for Inspectors.

The report again goes on to say—

There are three Deputy Commissioners, but the evidence received by us is strongly against the employment of more than one, whose duties would be largely concerned with distilleries. We recommend that two of these posts be abolished.

With these remarks, I move the motion that stands in my name for the acceptance of the House.

**Babu BEJOY KRISHNA BOSE:** I beg to move that the demand of Rs. 1,75,000 under the head "6A.—Superintendence" (page 35, Civil Estimate) be reduced by Rs. 10,000.

I formally move this motion. My friend, who has just now spoken, has anticipated me, and so I need not make any remark.

**Maulvi ZANNOOR AHMED:** I beg to support this motion

I think there are some recommendations of the Retrenchment Committee, which have been before the department for some years. Yet I am astonished to find that effect has not yet been given fully to them. The Retrenchment Committee have said with regard to the Deputy Commissioners that "there are three Deputy Commissioners, but the evidence received by us is strongly against the employment of more than one, whose duties would be largely concerned with distilleries. We recommend that two of these posts be abolished" But the Government have abolished only one post

The provision in the last year's Budget in respect of this item was Rs 1,27,000 I find no reason why there should be an increase next year.

With these remarks, I move my motion for the acceptance of the House

**Maulvi MD. NURUL HAQ CHAUDHURY:** I formally move that the demand of Rs 1,75,000 under the head "6A Excise—Superintendence" (page 35, Civil Estimate) be reduced by Re. 1

[At this stage the Council was adjourned for 10 minutes]

[After the adjournment]

**Mr. PRESIDENT:** I have inquired into the matter regarding Mr Birley and I find that he was in the Chamber talking to a friend in the lower gallery. The Deputy President was similarly occupied and saw Mr. Birley there

**Babu SARAT CHANDRA BASU:** I beg to support this amendment, but on a different ground altogether. I repeat the same story that I told yesterday about the loss of the services of the members of the Indian Civil Service with respect to this Department. If you will carefully examine, Mr. President, you will find that from almost every department of the Government, the members of the Indian Civil Service have been eliminated altogether. Now, the work of the members of the Indian Civil Service with respect to Excise was one of the excellent opportunities that were given to them for coming in touch with the people. It is not

only in Excise but in the administration of Revenue, in the administration of Criminal Justice, in the administration of Stamps, in the administration of Registration, in the administration of Police, and in almost every branch of the administration, the people do not see the members of the Indian Civil Service at all now, with the necessary consequence that the usual tours of the District Officers have been done away with, and the District Officers as well as other members of the Indian Civil Service have become unknown to the people, and have lost touch with the people; they on their turn do not know the people at all. They have got no opportunities any more of knowing what their wants are and what their grievances are. Formerly in the old days when Mr. President, you and I used to work together in the mufassal, we found the District Officer the friend, guide, philospher and help of the people. Now, we only find the District Officer, when a man has got to be prosecuted for sedition or to check the activities of the Swarajists It is no wonder that the people are no longer in sympathy with the members of the Indian Civil Service.

But with all that the whole system of the Indian Civil Service is still continuing: their pay has been increasing, the people have been bearing the burden of their pay, without getting an adequate return Now, the members of the Indian Civil Service—

**Dr. H. W. B. MORENO:** Sir, I beg to rise on a point of order. Are we discussing anything relating to the Indian Civil Service?

**Mr. PRESIDENT:** I do not know how the members of the Indian Civil Service come under this head which relates to Excise Superintendents.

**Babu SARAT CHANDRA BASU:** Sir, what I am complaining of is that the posts of Excise Superintendents are not now held by members of the Indian Civil Service.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI:** The Commissioner of Excise is a member of the Indian Civil Service.

**Mr. PRESIDENT:** We are not discussing the post of the Excise Commissioner. The argument I understand Mr. Basu to be developing is that the posts of Excise Superintendents should be held by members of the Indian Civil Service. Mr Basu, you may go on.

**Babu SARAT CHANDRA BASU:** Yes, Sir, what I want to submit is that for the posts of Excise Superintendents we should have the members of the Indian Civil Service, who can bring to bear upon this department the valuable work that people may expect from them. We have now practically driven away the members of the Indian Civil Service behind the *Purdah*: they have now become *khas kamra* officers and we are gradually and gradually reverting to the old days of the East India Company when the government was in the hands of Nawabs,

Reza Khan and Raja Sitab Roy—that is the sort of government we have got now and it should be put a stop to.

**Rai HARENDRANATH CHAUDHURI:** Sir, I rise to support the motion that has been moved by Babu Bejoy Krishna Bose. I rise to support him with a very brief speech. Certainly the head "6A. Superintendence" does not contain the pay of the Superintendents at all, but it includes the pay of the Excise Commissioner and three other gazetted officers. It is, however, no reply to say that the demand cannot be reduced at all. Let us see what the Retrenchment Committee said about the Deputy Commissioners. The recommendations of the Committee were to this effect. "There are three Deputy Commissioners, but the evidence received by us is strongly against the employment of more than one whose duties will be largely concerned with distilleries. We recommend that two of these posts should be abolished." What action has the Government taken with regard to these recommendations of the Retrenchment Committee? Well, the latest publication regarding the Government's decision on these recommendations says that it has been decided to abolish one instead of two of the Deputy Commissioners' posts. No reasons are advanced, no grounds are given, it is simply said, of course, in the right bureaucratic fashion that it has been decided to abolish one post. Why should two posts be not abolished as recommended by the Retrenchment Committee? Therefore, I think, the motion of Babu Bejoy Krishna Bose is directed against the pay of the other Deputy Commissioner whose post the Retrenchment Committee contemplated should be abolished and if the recommendations of the Retrenchment Committee could not be followed even in such a small matter, what was the use at all of having the farce of a Retrenchment Committee enacted, we cannot understand. Here is at least one member of the Retrenchment Committee present in the Council and we should like to be enlightened what he thinks about the decision of the Government. With these few remarks I resume my seat.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** Sir, I am really thankful to my friend Rai Harendranath Chaudhuri for drawing my attention to the recommendations of the Retrenchment Committee. I am grateful to him, because I find from his remarks that the Retrenchment Committee had in fact recommended the abolition of two out of the three posts of Deputy Commissioners. The Government, however, has found that two of these are required, one for distillery work and the other for other excise duties. In fact, I can assure my friend that if after going into the details I find that the recommendations of the Retrenchment Committee could be given effect to, I shall be only too glad to do so, but at present it is impossible for me to hold out any assurance. On the other hand, I think, my friend would not object if I consult the members

of the Advisory Committee who are the members of this Council. I, however, find that it is clear that the Government being responsible for employing Excise Officers to detect the smuggling of illicit traffic of excisable articles it is absolutely necessary for Government to maintain an efficient controlling and supervising staff. It is therefore not possible for me at the present moment to accept any of the amendments, but on the other hand I must make it clear that I am not responsible for the present policy of the Government, although it is not at all nice for me to take shelter behind that fact, but I shall take full note of the criticisms which have been made to-day and if I find that there is any possibility of any of these criticisms being given effect to, no one shall be more glad than myself to do so.

The motion that the demand of Rs. 1,75,000 under the head '6A.—Excise—Superintendence' be refused of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The motion of Babu Khagendra Nath Ganguly was then put and lost.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and a division taken with the following result:

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bahcrjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Baroda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Banerjee, Rai Bahadur Abinash Chandra.

Sarma, Rai Sahib Panchanan.
Sarton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prasad.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Morgan, Dr. H. W. B.
Nandy, Maharaj Kumar Srie Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manikoli Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

**Mr. PRESIDENT:** Is Khan Bahadur S. Mahboob Aley here? Did you go into the lobby after the doors were locked?

**Khan Bahadur S. MAHBOOB ALEY:** No, Sir.

**Mr. PRESIDENT:** Were you in the Chamber when the bell ceased to ring?

**Khan Bahadur S. MAHBOOB ALEY:** I was not in the Chamber.

**Mr. PRESIDENT:** Then your vote with the Noes was improperly given and cannot be recorded.

The Ayes being 62 and the Noes 61 the motion was carried.

The motion of Babu Bejoy Krishna Bose and the motion that the demand of Rs. 1,75,000 under the head '6A—Excise—Superintendence' be reduced by Re. 1 of Maulvi Md. Nurul Huq Chaudhury were not put as they were covered by the foregoing decision of the Council.

The following motions were called but not moved:

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 19,140 under the head '6B—Excise—Presidency Establishment—Superintendents and Prosecutor' (page 36, Civil Estimates) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 19,140 under the head '6B—Excise—Presidency Establishment—Superintendents and Prosecutor' (page 36, Civil Estimates) be reduced by Rs. 7,140."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 19,140 under the head '6B—Excise—Presidency Establishment—

Superintendents and Prosecutor' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 11,000 under the head '6B.—Presidency Establishment—Clerk and Treasurer' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 11,000 under the head '6B.—Presidency Establishment—Clerk and Treasurer' (page 36, Civil Estimate) be reduced by Rs. 5,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 11,000 under the head '6B.—Presidency Establishment—Clerk and Treasurer' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 72,080 under the head '6B.—Presidency Establishment—Inspectors and Sub-Inspectors' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 72,080 under the head '6B.—Presidency Establishment—Inspectors and Sub-Inspectors' (page 36, Civil Estimate) be reduced by Rs. 24,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 72,080 under the head '6B.—Presidency Establishment—Inspectors and Sub-Inspectors' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 21,520 under the head '6B.—Presidency Establishment—Servants' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 21,520 under the head '6B.—Presidency Establishment—Servants' (page 36, Civil Estimate) be reduced by Rs. 7,520."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 21,520 under the head '6B.—Presidency Establishment—Servants' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 5,300 under the head '6B.—Excise—Presidency Establishment—Temporary Establishment' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 5,300 under the head '6B.—Excise—Presidency Establishment—Temporary Establishment' (page 36, Civil Estimate) be reduced by Rs. 2,300."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 5,300 under the head '26B.—Excise—Presidency Establishment—Temporary Establishment' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 30,000 under the head '6B.—Excise—Presidency Establishment—Travelling Allowances' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 30,000 under the head '6B.—Excise—Presidency Establishment—Travelling Allowances' (page 36, Civil Estimate) be reduced by Rs. 15,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 30,000 under the head '6B.—Excise—Presidency Establishment—Travelling Allowances' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 35,000 under the head '6B.—Excise—Presidency Establishment—Rewards' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 35,000 under the head '6B.—Excise—Presidency Establishment—Rewards' (page 36, Civil Estimate) be reduced by Rs. 15,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 35,000 under the head '6B.—Excise—Presidency Establishment—Rewards' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,000 under the head '6B.—Excise—Presidency Establishment—Fees to Pleaders' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,000 under the head '6B.—Excise—Presidency Establishment—Fees to Pleaders' (page 36, Civil Estimate) be reduced by Rs. 2,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,000 under the head '6B.—Excise—Presidency Establishment—Fees to Pleaders' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6B.—Excise—Presidency Establishment—Contract Contingencies' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6B.—Excise—Presidency Establishment—Contract Contingencies' (page 36, Civil Estimate) be reduced by Rs. 1,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6B.—Excise—Presidency Establishment—Contract Contingencies' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 5,000 under the head '6B.—Excise—Presidency Establishment—Rents, Rates and Taxes' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 5,000 under the head '6B.—Excise—Presidency Establishment—Rents, Rates and Taxes' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6B.—Excise—Presidency Establishment—Other Non-contract Charges' (page 36, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6B.—Excise—Presidency Establishment—Other Non-contract Charges' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,07,000 under the head '6B.—Excise—Presidency Establishment' (page 36, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY:** "That the demand for Rs. 2,07,000 under the head '6B.—Excise—Presidency Establishment' (page 36, Civil Estimate) be reduced by Rs. 1,07,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,07,000 under the head '6B.—Excise—Presidency Establishment' (page 36, Civil Estimate) be reduced by Rs. 57,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 2,07,000 under the head '6B.—Excise (Transferred) Presidency Establishment' (page 36, Civil Estimate) be reduced by Rs. 47,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 2,07,000 under the head '6B.—Presidency Establishment' (page 36, Civil Estimate) be reduced by Rs. 20,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 2,07,000 under the head '6.—Excise and 6B—Presidency Establishment' (page 36, Civil Estimate) be reduced by Rs. 10,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,07,000 under the head '6R.—Excise—Presidency Establishment' (page 36, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,15,000 under the head '6C.—Excise—District Executive Establishment—Pay of Superintendents and Allowances of Inspectors in Charge of Districts and Leave Allowance' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,15,000 under the head '6C—Excise—District Executive Establishment—Pay of Superintendents and Allowances of Inspectors in Charge of Districts and Leave Allowance' (page 38, Civil Estimate) be reduced by Rs. 45,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,15,000 under the head '6C Excise District Executive Establishment Pay of Superintendents and Allowances of Inspectors in Charge of Districts and Leave Allowance' (page 38 Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 58,293 under the head '6C—Excise—District Executive Establishment—Clerks' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 58,293 under the head '6C Excise District Executive Establishment Clerks' (page 38, Civil Estimate) be reduced by Rs. 18,293."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 58,293 under the head '6C Excise District Executive Establishment—Clerks' (page 38, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,912 under the head '6C—Excise—District Executive Establishment—Servants' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,912 under the head '6C—Excise—District Executive Establishment—Servants' (page 38, Civil Estimate) be reduced by Rs. 4,912."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,912 under the head '6C.—Excise—District Executive Establishment—Servants' (page 38, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,35,380 under the head '6C.—Excise—District Executive Establishment—Inspection and Prevention' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,35,380 under the head '6C.—Excise—District Executive Establishment—Inspection and Prevention' (page 38, Civil Estimate) be reduced by Rs. 2,08,705."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand for Rs. 4,35,380 under the head '6C.—Excise—Inspection and Prevention' (page 38, Civil Estimate) be reduced by Rs. 50,000.

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 4,35,380 under the head '6C.—Excise—District Executive Establishment—Inspection and prevention' (page 38, Civil Estimate) be reduced by Re 1."

**Babu MANMOHON NEOGI:** "That the demand of Rs. 1,40,000 under the head '6C.—District Executive Establishment—Travelling Allowances' (page 38, Civil Estimate) be reduced by Rs. 35,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,45,000 under the head '6C. Excise District Executive Establishment—Allowances, Honoraria, etc.' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,45,000 under the head '6C.—Excise—District Executive Establishment—Allowances, Honoraria, etc.' (page 38, Civil Estimate) be reduced by Rs. 45,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 1,45,000 under the head '6C.—Excise—District Executive Establishment—Allowances, Honoraria, etc.' (page 38, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 7,68,000 under the head '6C.—District Executive Establishment Transferred' (page 38, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 7,68,000 under the head '6C.—District Executive Establishment' (page 38, Civil Estimate) be reduced by Rs. 2,68,000."

**Babu KHAGENDRA NATH GANGULY:** "That the demand for Rs. 7,68,000 under the head '6C.—Excise—District Executive Establishment' (page 38, Civil Estimate) be reduced by Rs. 1,98,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 7,68,000 under the head '6C—Excise (Transferred)—District Executive Establishment' (page 38, Civil Estimate) be reduced by Rs. 68,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 7,68,000 under the head '6C.—District Executive Establishment' (page 38, Civil Estimate) be reduced by Rs. 10,000."

**Mr. S. C. MUKERJI:** "That the demand of Rs. 7,68,000 under the head '6C.—District Executive Establishment' (page 38, Civil Estimate) be reduced by Rs. 100."

**Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 7,68,000 under the head '6C.—District Executive Establishment' (page 38, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 51,180 under the head '6D.—Excise—Distilleries (Transferred)—Inspectors and Sub-Inspectors' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 51,180 under the head '6D.—Excise—Distilleries—Inspectors and Sub-Inspectors' (page 39, Civil Estimate) be reduced by Rs. 15,180."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 51,180 under the head '6D.—Excise—Distilleries—Inspectors and Sub-Inspectors' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,428 under the head '6D.—Excise—Distilleries—Clerks' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,428 under the head '6D.—Excise—Distilleries—Clerks' (page 39, Civil Estimate) be reduced by Rs. 828."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,428 under the head '6D.—Excise—Distilleries—Clerks' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 8,000 under the head '6D.—Excise—Distilleries—Servants' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 8,000 under the head '6D.—Excise—Distilleries—Servants' (page 39, Civil Estimate) be reduced by Rs. 3,000."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 8,000 under the head '6D.—Excise—Distilleries—Servants' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 53,400 under the head '6D.—Excise—Distilleries—Allowances and Honoraria, etc.' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 53,400 under the head '6D.—Excise—Distilleries—Allowances and Honoraria, etc.' (page 39, Civil Estimate) be reduced by Rs. 23,400."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 53,400 under the head '6D.—Excise—Distilleries—Allowances and Honoraria, etc.' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6D.—Excise—Distilleries—Charges for Excise Collection—Pachwai' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 2,000 under the head '6D.—Excise—Distilleries—Charges for Excise Collection—Pachwai' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,500 under the head '6D.—Excise—Distilleries—Supplies and Services' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,500 under the head '6D.—Excise—Distilleries—Supplies and Services' (page 39, Civil Estimate) be reduced by Rs. 1,500."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 14,500 under the head '6D.—Excise—Distilleries—Supplies and Services' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 80,740 under the head '6D.—Excise—Distilleries—Contingencies' (page 39, Civil Estimate) be refused."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 80,740 under the head '6D.—Excise—Distilleries—Contingencies' (page 39, Civil Estimate) be reduced by Rs. 20,740."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 80,740 under the head '6D.—Excise—Distilleries—Contingencies' (page 39, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,10,000 under the head '26D.—Distilleries' (page 39, Civil Estimate) be refused."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 2,10,000 under the head '6D.—Excise—(Transferred)—Distilleries' (page 39, Civil Estimate) be reduced by Rs. 1,10,000."

**Babu BEJOY KRISHNA BOSE:** I move that the demand of Rs. 2,10,000 under the head "6D Distilleries" (page 39, Civil Estimate) be reduced by Rs. 20,000.

The object of my moving this motion is that I wanted to cut down the amount for rewards which is provided on page 39 of the estimate by Rs 12,000. I do so only for the purpose of saying one word in reply to what has fallen from Mr. Burley. He has said that these rewards are given to these officers because they have to do an onerous duty and they are liable to assault and other offences committed upon them by the public. I find, Sir, that in the whole province of Bengal in the last year, there were only 8 cases of assault on Excise and Police officers, and it is further reported on page 23 of the Excise Administration Report that the assailants were prosecuted in 7 cases, of these in one case the accused was convicted, and in one they were acquitted, one case was compounded and four remained pending at the close of the year. To say that the Excise staff consisting of such a large number of people are liable to assault, and, therefore, they should be rewarded in the discharge of their onerous duties is an argument, which, to say the least of it, is fallacious. Mr. Burley has referred to his experience of one year while he was Collector of Calcutta. Well, it will, perhaps, be presumptuous on my part to put my experience against his. He had an experience of only one year as Collector of Calcutta, sitting in office, looking at papers submitted to him by his subordinates. I can refer to my experience of 23 years during which I have appeared in many Excise cases, and I have found that 99 per cent. of these cases are false cases brought up by false informers with the result that most of these cases ended in failure and whenever the Excise officers brought forward independent witnesses to prove a search, it was always found that these witnesses gave evidence diametrically opposite to the evidence of the Excise officers.

With these words I formally move my motion.

**SECRETARY to GOVERNMENT, DEPARTMENTS of AGRICULTURE and INDUSTRIES (Mr. C. S. Dutt):** In the absence of the Hon'ble the Minister from the House, I beg to oppose the motion on behalf of Government and in doing so I have only a few remarks to make. Babu Bejoy Krishna Bose has based his attitude in moving the motion on the question of the *rationale* of the principle of giving rewards. The Hon'ble the Minister has already explained that according to the present position as understood by Government, it is essential that rewards should be given to secure detection and punishment of excise

crime. Well, Sir, if the Council think that this policy is wrong, then the proper course, in my humble judgment, would be for the Council to express disapproval of the Government policy by effecting a nominal cut which Government would regard as a vote of censure on their present policy. If you make a substantial cut, it comes to this: Government would have to effect a reduction in establishment or in rewards and that, the Council must understand, will materially affect the efficiency of the department. That would frustrate the object of the members of the House, which is, I am sure, to effect efficient detection and punishment of excise crime. I am very much afraid that any such motion, which purports to effect a substantial cut, will very seriously paralyse the administration of the department. I would, therefore, appeal to the members not to effect a substantial cut, but to indicate their disapproval of the Government policy, if they so desire, by a nominal cut.

The motion was then put and lost.

The following motions were called but not moved:—

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,10,000 under the head '6D.—Distilleries (Transferred)' (page 39, Civil Estimate) be reduced by Rs. 15,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 2,10,000 under the head '6D.—Distilleries' (page 39, Civil Estimate)' be reduced by Rs. 10,000."

**Maulvi WAHED HOSSAIN:** I move that the demand for Rs. 14,00,000 under the head "6.—Excise (Transferred)—Cost price of opium supplied to the Excise Department" (page 35, Civil Estimate) be reduced by Rs. 4,00,000.

Sir, the excise policy of Government is responsible for the wide distribution of intoxicating drugs in the country. The policy enunciated by the representatives in the two special conferences held at Geneva in November, 1924, has an important bearing on the opium question in its relation to India. The International Anti-Opium Movement which has for its object the reduction of the production and consumption of opium and its derivatives to such quantities as are in accordance with medical and scientific needs, is dominated by two main issues. One is the continued use of opium in the East for smoking and eating, to the detriment of the people who use it. The other is the danger of the opium derivatives, and morphia, to the well-being of the countries of the West. It has now been authoritatively pronounced that "so long as opium and its derivatives are produced in great excess of the medical and scientific needs of the world, so long will that excess be used for vicious purposes."

It appears from the discussions of the League of Nations Opium Committee and of the Assembly itself in 1923 that the solution of the problem lies not in the regulation of consumption but in the limitation of production. Accordingly two main principles were adopted:—

I. If the purpose of the Hague Opium Convention is to be achieved according to its spirit and true intent, it must be recognised that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate.

II. In order to prevent the abuse of these drugs it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medical and non-scientific purposes.

The Indian representatives accepted the two resolutions subject to a reservation that "the use of raw opium according to the established practice in India and its production for such use, are not illegitimate under the Convention." This reservation was based on the flimsy pretext that "the consumption in India was India's sole concern" and was not to "be questioned and reviewed by an International Body." If this be the sound position then other countries such as China, Persia and Turkey—the main opium growing countries in the world—may well refuse to accept the resolutions of the League of Nations. But we know that China is prepared to welcome the restriction by India. We further know that Persia has ratified the Hague Convention and Turkey has accepted it in the ratification of the Lausanne Treaty. But the Government of India, while accepting the principles still stands on their reservation. This is then the position in which India stands in relation to her opium policy. It is needless to say that the attitude taken by the Government of India can hardly be justified. The Government should accept the principle that the consumption of raw opium for purposes other than medicinal is illegitimate.

Now if we turn to the question how opium is used in this country we find from the summary of evidence regarding the use of opium in India: (*1*) giving of opium to children; (*2*) semi-medical use to ward off fatigue or damp; (*3*) medical use to ward off or remedy specific diseases; and (*4*) addiction to opium as a pleasure-giving drug. I leave aside the consideration of the evils arising from the use of opium and confine myself to that of doping children. From a pamphlet which contains the results of an inquiry undertaken by the National Christian Council of India, Burma, and Ceylon at the request of the International Missionary Council which is closely related to the activities of the League of Nations the following extract is taken which may come as a surprise to many:—

In almost every part of India it appears that the custom of giving opium pills to small children prevails. Usually it is not continued beyond the age of two or three years but up to that age there is indubitable evidence that the custom is distressingly wide spread. It is given for various reasons. The commonest is the mother's desire to stop the child from crying (particularly in the case of mothers who work as operatives in factories) and to ensure its quietness and sleep

while she is away. Among women mill hands this is extremely common. In Bombay, Dr. Misri says that of Hindu children 90 per cent. and of Muhammadan children 75 per cent, are doped from birth until 2 years old. It is also found among women who work in fields, as we have been personally informed again and again by villagers.

It is also given to the children to appease hunger—a side light on the poverty of the masses. Dr. Misri in his statement says:

The greatest abuse to which it is put is the prevailing habit of doping children with it to keep them from crying even when it is due to such legitimate cause as insufficiency of mother's milk—another side light on the food problem of the country.

Anon C. P. says:

Opium is usually given to small babies in India by mothers—in Muhammadan zenanas and in Hindu homes of the upper classes though, perhaps, not quite to the same extent .... It is given practically without exception by women who are obliged to earn their livelihood—as coolies or cook women—and even by those teaching in schools.

Dr. E. Muir, M.D., F.R.C.S.E. (CAL.), says:

Opium is according to my experience in the villages of Bengal very extensively eaten by all classes and both sexes. The pamphlet from which I have quoted then goes on to say: "We desire to state with utmost emphasis that the extent of this baby doping is enormous and that it constitutes a national problem." Dr. Misri's estimate we have quoted. A Cambay doctor says that 30 per cent. of the total opium consumed in his area is given to babies. A highly experienced lady who lives in the Central Provinces says that 80 per cent. of babies in her area are given opium and a doctor from the same province puts it at 90 per cent. Almost every letter and memorandum we have received mentions this habit of giving opium to children, while other forms of opium addiction vary greatly in the different provinces, we believe that this aspect of the evil is virtually universal.

Now such being the policy of the Government and the extent of evil as indicated above, is it not reasonable to put restrictions on the production and consumption of opium? The Hon'ble the Member in charge wants 14 lakhs for the cost price of opium supplied to the Excise Department. Last year and the year before last no such demand was made. This year (1925-26) the demand represents the amount payable to the Government of India on account of the cost of opium estimated to be in stock in the provincial treasuries on the 31st March, 1925. Therefore, the enormous quantity of opium worth 14 lakhs will be distributed throughout the province for consumption. This is nothing but exploiting the vices of the people and distributing poison throughout the country. While the people want distribution of water, medicine, cheap food, etc., the Government demands 14 lakhs for distributing poison. I have, therefore, given a cut of 4 lakhs only for putting a limitation on the consumption of opium according to the principles accepted by Government in the terms of the Hague Convention.

Government should now declare that the production and consumption of opium in excess of medicinal and scientific needs are illegitimate.

Even if Government takes its stand on the reservation, yet the Government is bound to regulate its production and consumption. The cut will reduce the quantity only and will not affect the position of Government so far as that reservation is concerned.

I, therefore, appeal to the House in all seriousness to consider this question in the light of the evils and the extent to which they are prevailing in the country especially among women and children. Children are doped so that the mothers may have time to do some work. Sir, if the Government only regulates its exports it will not serve any purpose. There must be restriction on the production as well as on consumption of opium. Out of these 14 lakhs I have suggested a cut of 4 lakhs towards this end. I again appeal to the House to look at it from a broader point of view and restrict the spread of the evil among women and children. With these words I commend my motion to the acceptance of the House.

**Mr. F. E. JAMES:** I desire to associate myself with the sentiment which has moved the last speaker to bring forward this motion, though I fear I cannot agree entirely with the methods by which he proposes to put this sentiment into practical operation. I should like, in the first place, to compliment the Hon'ble the Minister in charge on the tone and substance of his maiden speech. I do not wish, in speaking on this motion, to criticize a policy or to criticize him when he is not responsible for the policy. I do desire, however, to do what has not been done this afternoon, that is, to make two practical suggestions for the consideration of Government in dealing with this important question of opium. The actual position of the consumption of opium in Bengal and particularly in Calcutta is not as satisfactory as the Finance Member would have us believe. In his opening speech the Hon'ble the Minister has stated that the standard of legitimate consumption as laid down by the League of Nations is 600 milligrammes per head per annum. That works out at a little more than 6 seers per 10,000 of the population per annum. He went on to say that by consistently following that policy of restriction of facilities of supply and consumption it has been possible in 19 out of 27 districts of the province to bring the consumption below the standard fixed by the League of Nations. Now, Sir, I desire to acknowledge quite frankly that from that point of view the position is quite satisfactory. But there are districts in which the consumption of opium is on the increase and it will be found on consideration that these districts are mainly industrial districts centering in and around Calcutta. We have been told that the League of Nations has fixed 6 seers per 10,000 of the population per annum as the standard, and yet it will surprise many of the members of this House to know that the consumption of opium in Calcutta is not 6 seers per 10,000 of the population but 44 seers per 10,000 of the population! I venture to suggest that this is a most unsatisfactory state of affairs. I would further point

out that while, taking Bengal as a whole, the amount of opium consumed has undoubtedly considerably diminished, yet the number of shops in which opium may be had for sale has not decreased to the same extent, and I would also point out that during the last 5 years in Calcutta alone the number of shops selling opium, namely, 79 has not diminished even by one. I think, Sir, the House will agree with me when I say that this increase in the consumption of opium among the industrial population of the province is a question which merits the very serious consideration of the Excise Department of the Government. From Bombay we have very definite facts that the consumption of opium in industrial centres there is becoming a growing and a very real evil. I do not think that the facts are yet adequately known in regard to the industrial population of Bengal, but I do venture to suggest to the Government of Bengal and to the Minister in charge of the Excise Department that they should take very early steps to institute an inquiry into the question of the consumption of opium among the industrial population of the country; and I would further suggest to the Government that in that inquiry they should associate the members of this Council and others of this province whose experience and work give them some qualification for helping Government in this inquiry.

The second suggestion in regard to this matter which I would put before Government for consideration is in connection with what transpired in the Legislative Assembly in the discussion on opium last week. My hon'ble friend in the corner (Maulvi Wahed Hossain) has not, perhaps, the most up-to-date information on this subject. Those who have followed the debate in the Assembly will know that this matter has been raised there, and Sir Basil Blackett in reply to criticisms on the opium policy of the Government of India promised that they would appoint a committee to inquire into the matter of consumption of opium throughout India provided that the provincial Governments, when circularized, would agree to the proposal. There is a definite need, Sir, for an all-India inquiry. The last substantial inquiry in regard to this matter took place in 1895. The conclusions which were drawn up as a result of that inquiry were at that time the subject of considerable criticism by a large number of the members of the House of Commons. It cannot be denied that during the last 30 years that have transpired since 1895 there has been considerable advance in medical science, and particularly in the direction of toxicology. I, therefore, do feel that Government, the provincial Government here, should favour the suggestion that will be put before them by the Government of India for an inquiry into the consumption of opium throughout the country. May I again remind the House that what is needed on this question as indeed on the general Excise question is an impartial inquiry into the facts and the difficulties which confront all those who are trying to remedy this state of affairs. I would suggest that, with a view to arriving at an impartial conclusion we should avoid all evidence which

is influenced by political motives. We do not want merely to have an inquiry whose result would embarrass the provincial revenues or would be simply to attack the established order of things. We want the elucidation of broad facts and I think no one will lose by an impartial survey of the actual position. Any evidence which is inspired by political motives is bound to fail in achieving its result and may discredit those whom it is intended to benefit. But I believe, Sir, it is possible to devise a policy as a result of that inquiry which will not only harmonize the growing sentiment of the Indian people on this question and the Government standpoint, but will also squarely face the important question of revenue if the result diminishes consumption. I would point out in this connection that a recent decision of the Licensing Board in regard to the stopping of certain licenses has resulted—I am told—in a drop of revenue to the extent of 3½ lakhs of rupees, so that no member of the House can lightheartedly propose offhand that these things should be done without going into a careful consideration of the question of alternative taxation. I do think, Sir, that these things can be faced—I believe the financial difficulties can be faced, but it needs good-will on both sides, and I do appeal to the House and to the Government that they will adopt an attitude which will be for the interests of Bengal and at the same time will be worthy of Bengal's place in the fellowship of nations which we call the Indian Empire.

**Rai HARENDRANATH CHAUDHURI:** I rise to support the motion which has been moved by Maulvi Wahed Hossain proposing a cut of Rs. 4 lakhs from the Excise Budget so far as it relates to opium. As this is the only motion before the House directed against the opium policy of the Government we have no other alternative left than to support it. It would have been better, of course, if Maulvi Wahed Hossain had seen his way to propose a token cut instead of such a heavy cut this time. However, when this is the only motion before the House, as I have said, directed against the opium policy of Government I consider it a pleasure as well as my duty to support this motion.

Coming to the particular question before us I beg to remind the House that Bengal still consumes about 1,000 maunds of opium per annum—to be precise, 997 maunds and 37 seers, the figure given in the report for the year 1923-24. In *ganja* Bengal stands first and eclipses the rest of the Indian provinces; its unique position the Government is sedulously endeavouring to maintain by extending the cultivation of *ganja* in my friend the Kumar Saheb's district, I mean at Naogaon in Rajshahi. In the matter of the consumption of opium this province has also a noteworthy position, coming next only to Bombay, at any rate such was the position only a few years ago, while our provincial Government is ever anxious to extend opportunities for the sale of opium

and to bring it within the reach of a larger and larger number of people. Eight more licenses having been granted in the year 1923-24. "The total number of licenses issued," the report says, "for the retail sale of opium was 832 as compared with 824 in the preceding year." "Nine new shops were opened, *viz.*, 2 each in 24-Parganas, Jessore and Faridpur, 1 each in Burdwan, Dacca and Tippera." In this connection I should like to examine two statements which have recently appeared in the press. A Reuter's telegram, dated London, the 9th March, was published here on the 11th instant which ran as follows:—

Replying to Captain Wedgwood Benn, Earl Winterton said that 1,887,000 lbs. of opium were produced in British India in the year 1923.

After giving certain figures relating to the sale of opium to foreign countries in the year 1923, for which certainly the Central Government and not the provincial Government, is responsible, Earl Winterton is reported to have said "that 130 lbs. of morphine hydrochlorate were manufactured at Ghazipur during the year ended 31st October, 1923, while 92 lbs. valued at Rs. 10,905 were sold in India." As Administration Reports are issued here according to the financial year we have no means of ascertaining the figures for 1923, but on referring to the consumption return in the report for 1923-24 we see that instead of 92 lbs. being sold in the whole of India 214 lbs. 10 ounces and 67½ grains of morphia were sold in Bengal only in the year 1923-24. (Cries of shame, shame!) Another important statement alleged to have been made from another responsible quarter is that which is ascribed to Sir Basil Blackett. He has said, it is reported, that "the price of opium was now two or three times higher than in 1910" mind you 15 years ago, it is not his interest to quote later figures "the revenue was 50 per cent. higher while consumption was two-thirds less." I am not in a position to get all-India figures—through this Council it is not possible to secure them as they are not matters primarily the concern of the local Government—hence I cannot say anything about the whole of India. But so far as Bengal is concerned the statement is not supported by facts and figures as published in the Government reports. We see from the report for the year 1912-13 that in this Presidency the total quantity of opium consumed in that year was 1,697 maunds 17 seers and last year (I mean the year 1923-24) the total quantity of opium consumed was 997 maunds 37 seers. I have yet to know that 997 maunds is less than 1,697 maunds by two-thirds and not one-third. These are the figures relating to the consumption of opium. I now put it to the House whether we are not justified in face of this situation to make a heavy cut in the Opium Budget and thus to protest effectively against the opium policy of the Government. I should like to remind the House in this connection that recently in the Assam Legislative Council a resolution was carried limiting the amount of opium offered for sale under Government monopoly every year by 10 per cent. so that

in 10 years' time the drug may be prohibited altogether except to registered addicts.

I know it will probably be answered from the Treasury Bench that the Assam Government have not accepted the Resolution. We should remember, however, that in Assam Excise is not a transferred subject; but here Excise is under the control of a Minister who is supposed to be responsible to the legislature. I shall now present the Council with a quotation from a recent article which has been written by Mr. Andrews. This quotation will enlighten the House as regards the effect of the present Government policy regarding the consumption of opium in this country:—

Mr Anderson tells the story how 2,300 persons were counted in a single day going into an opium shop to get opium poison This shop was in one of the worst slums of Calcutta and it seemed as clear as possible that such an opium shop, in that miserable quarter, was merely pandering to the opium vice among the very poor But the departmental officer pleaded, that the shop should remain, and its license should be retained, because it fulfilled a public need

Public need indeed! Sir, in his non-official days the present Hon'ble the Minister in charge of Excise, was always anxious to be recognized as a friend of the Temperance Movement Let us hope with the increase of responsibility, he will not have, as it often happens in our country, any reason to change his former opinion.

**Mr. PRESIDENT:** Raja Saheb, do you wish to reply to the debate? I shall have to close the debate at 5-37, so that you will have only four minutes' time

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I am grateful to the several speakers who have offered many practical and valuable suggestions with regard to this question, but the mover of the amendment, it appears to me, has raised a very big question It is impossible for me to do justice to that question in the short time at my disposal. Besides that Mr. James has pointed out that this matter has already received the attention of the Assembly and it would not be unnatural for us to expect that something would come out of that. The provision is based on the quantity of opium actually supplied to the Excise Department. This expenditure is obligatory and payable to the Government of India. The provision cannot be reduced unless consumption decreases. Now, what I find is that the consumption has decreased, but Mr. James was perfectly right when he said that it has not decreased to the extent he would like and I certainly agree with him that there is scope for improvement. His suggestions, I may assure him, will receive the best consideration of the Government. My friend, Rai Harendranath Chaudhuri, has said that at one time I was an advocate of temperance and he expects that no change should creep into my mind. I can assure him that in spite

of the responsibility which I have been called upon to shoulder, I am still a great friend of the temperance cause and that I shall always try my level best to do what I can during my tenure of office. Well, *gentlemen*——

**Mr. PRESIDENT:** The Hon'ble Minister should address the Chair.

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** I am sorry, Sir. My contention is that this question should be very thoroughly gone into and it would not do for any hasty action on the part of the Government and my critics or rather the critics of the present excise policy of the Government, which is not of my own creation, as I have already explained to the House, should understand that the question being a very difficult one, time should be given to me and as I have already pointed out. Besides, we should wait till the Assembly has actually come to a definite conclusion, and it may be that they will appoint a committee which will go into the details of the question——

**Mr. F. E. JAMES:** May I ask the Hon'ble the Minister whether if the Government of India circularized the Government of Bengal for their opinion on the appointment of a committee to inquire into the question, what reply the Government of Bengal would give?

**The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI of Santosh:** That question will arise in case the matter was sent up to them for their opinion, but as at present advised, I think, it would be difficult for us to give any opinion unless the materials were before us and we have had an opportunity to examine them.

**Mr. PRESIDENT:** Order, order! The time-limit has been reached.

The motion of Maulvi Wahed Hossain was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Rames Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjea, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Soroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammad, Hajl.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.

Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. 'Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Nemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Asraf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Bag, Khan Bahadur Mirza Shujaat Ali.
Bast, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. N.
Khaitan, Babu Debi Prosad.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Hagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manikli Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 62 and the Noes 68, the motion was lost.

The time-limit under head "6. Excise" having expired, the following motions were not put:

**Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY, SHAH SYED EMDADUL HAQ, Maulvi ABOUR RASCHID KHAN, Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY, Babu ABANISH CHANDRA RAY, Babu MANMATHA NATH ROY, Babu MANMOHON NEOGI, Maulvi SAYEDUL HOQUE and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 25,77,000 under the head '6.—Excise (Transferred)' (page 35, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 25,77,000 under the head '6.—Excise' (page 35, Civil Estimate) be reduced by Rs. 25,76,999."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 25,77,000 for expenditure under the head '6.—Excise (Transferred)' (page 35, Civil Estimate) be reduced by Rs. 20,77,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 25,77,000 under the head '6. Excise' (page 35, Civil Estimate) be reduced by Rs. 12,88,500."

**Maulvi ABDUR RASCHID KHAN:** "That the demand of Rs. 25,77,000 under the head '6. Excise (Transferred)' (page 35, Civil Estimate) be reduced by Rs. 5,77,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 25,77,000 under the head '6. Excise (Transferred)' (page 35, Civil Estimate) be reduced by Rs. 5,00,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 25,77,000 under the head '6. Excise' (page 35, Civil Estimate) be reduced by Rs. 1,70,000."

**Babu NALINIRANJAN BARKER:** "That the demand of Rs. 25,77,000 under the head '6. Excise' (page 35, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu NALINIRANJAN SARKER:** That the demand of Rs. 25,77,000 under the head "6. Excise" (page 35, Civil Estimate), be reduced by Rs. 100.

**Babu DEBENDRA LAL KHAN, Dr. PRAMATHANATH BANERJEA, Maulvi ABDUR RASCHID KHAN, Maulvi MD. NURUL HUQ CHAUDHURY, SHAH SYED EMDADUL HAQ and Mr. S. C. MUKERJI:** "That the demand of Rs. 25,77,000 under the head '6.—Excise' (page 35, Civil Estimate) be reduced by Re. 1."

The original demand that a sum of Rs. 25,77,000 be granted for expenditure under the head "6. Excise", as amended by the Council, was then put and a division was called.

**Mr. PRESIDENT:** Before I announce the result of the division, I understand that two members have statements to make.

**Mr. A. C. BANERJEE:** Sir, by mistake I went to the wrong lobby and there I found myself a captive. I was told that my vote had to be recorded there. I now ask you, Sir, to have it transferred to the other side.

**Mr. PRESIDENT:** That cannot be done under the rules but your explanation will be recorded in the proceedings.

**Khan Bahadur Maulvi ABDUS SALAM:** I also voted by mistake with the "Noes".

**Mr. PRESIDENT:** That will also be recorded.

The following was the result of the division: -

**AYES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. B. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharraf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manilall Singh.
Skinner, Mr. S A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W L
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

**NOES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Syomkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.

Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalliranjan.
Sen, Mr. N. C.
Sen Cupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

The Ayes being 69 and the Noes 60, the motion was carried.

7.—STAMPS.

**MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald):** I move that a sum of Rs. 9,20,000 be granted for expenditure under the head "7. Stamps."

This is the price for paper and stamps and charges for the necessary establishment.

The following motions were called but not moved:—

**Babu KHAGENDRA NATH CANCULY:** "That the demand of Rs. 29,200 under the head '7A.—Stamps—Superintendence' be refused."

**Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY, Babu ABANISH CHANDRA RAY, Mr. J. M. SEN CUPTA, Babu KHAGENDRA NATH CANCULY, Maulvi ASIMUDDIN AHAMAD, SHAH SYED EMDADUL HAQ, Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMOHON NEOGI and Babu MANMATHA NATH ROY:** "That the demand of Rs. 9,20,000 under the head '7.—Stamps' (page 40, Civil Estimate) be refused."

**Maulvi SAYEDUL HOQUE:** I move that the demand of Rs. 9,20,000 under the head "7.—Stamps" be reduced by Re. 1.

In moving this motion I would like to submit the following points. It is divided into two sub-heads Judicial and non-Judicial. Revenue on the Judicial side is Rs. 2,23,00,000 and expenditure for the Judicial side is Rs. 4,75,000. Revenue from administration of justice is Rs. 13,75,000 and expenditure on administration of justice is Rs. 84,30,000. So the total revenue is Rs. 2,36,75,000 and total expenditure is Rs. 99,25,000 on Judicial stamps and administration of justice. So the net revenue or income is Rs. 1,37,50,000 and the expenditure for administration of justice is Rs. 99,25,000. So the fact before the House is that the people pay more than twice than what is spent for administering justice. Now my point is whether justice is to be sold or whether the Government is responsible for bestowing justice among the subjects. By selling the court-fee stamps a profit is made out of litigation. This is one of the many ways of

exploiting the already over-taxed people. I propose that the value of court-fee stamps should be reduced by Rs. 1,37,50,000. With these words I resume my seat.

**The Hon'ble Mr. J. DONALD:** I am afraid, Sir, I could not follow the hon'ble member as to what he was talking about. He seemed to be confusing the administration of justice with the cost of stamps. Sir, it was only a few years ago that the revenue from stamps was increased in order to find ways and means for carrying on the administration, and it cannot be considered solely in connection with judicial administration. What I am asking for is the cost of stamps.

The motion of Maulvi Sayedul Hoque was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Narendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Cafur, Maulvi Abdul.
Canguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Bagd, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.

Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H,
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. G.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manjoli Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 58 and the Noes 68, the motion was lost.

The original demand that a sum of Rs 9,20,000 be granted for expenditure under the head "7. -Stamps" was then put and agreed to.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

## 8.—FORESTS.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I move that a sum of Rs. 7,79,000 be granted for expenditure under the head "8. Forests".

The following motions were called but not moved:

**Babu KHAGENDRA NATH GANGULY:** "That the demand for Rs. 4,18,000 under the head '8A. Forests Conservancy and Works' (page 41, Civil Estimate) be reduced by Rs 3,28,000."

**Babu KHAGENDRA NATH GANGULY:** "That the demand for Rs. 3,58,000 under the head '8B. Forests Establishments' (page 41, Civil Estimate) be reduced by Rs. 3,49,000."

**SHAH SYED EMDADUL HAQ:** I move that the demand of Rs. 7,79,000 under the head "8. Forests" (Reserved) be refused.

He spoke in Bengali. The English translation of his speech is as follows:—

It is only as a protest against autocracy that we ought to disallow the whole amount of outlay proposed. Hills were created by God. It is the birth-right of the local inhabitants to use the waters, the trees, the bamboos, the animals thereon and to benefit thereby. By these proposed outlays and maintaining a number of officers thereon,

those rights of the public are impaired. And it is in this way also that the income from the forests as well as the bamboos, the waters, the trees, etc., thereon owe their existence to labour and efforts of the local people But those who contribute to the yielding of this income or their children get only a very small share of this sum of eight lakhs approximately. Are Bengalis so very incompetent that they are not fit even for any high post in the Forest Department? Radically there is no justification for taxing forest produce. In addition, so far as I know, there are various kinds of oppression and injustice committed. Various kinds of suits are instituted against the people residing near the forest and they are injured in various ways thereby. But there is money for all these matters while there is no money for the vital problems of education and sanitation. For this and other reasons, I move the motion standing in my name.

The following motion was called but not moved:—

**Maulvi KADER BAKSH:** "That the demand of Rs 7,79,000 under the head '8. Forests' be reduced by Rs. 1,00,000."

**Maulvi WAHED HOSSAIN:** I move that the demand for Rs. 7,79,000 under the head "8 Forests" (page 11, Civil Estimate) be reduced by Rs. 79,000.

Here, again, I have to move for a cut. The amount is very small, Rs. 79,000 out of a total demand for Rs. 7,79,000. My object in moving for this cut is very simple. If the members of the House will turn to page 11 of the Budget they will find that the amount budgeted for contingencies in the year 1923-24 was very small - Rs 200 and odd. In 1924-25 it rose to Rs 600 and this year it is Rs. 1,000 and odd. I beg to submit that no explanation is given as to why this amount is going on increasing every year. I must admit that I fail to understand why such a big amount is necessary for contingent expenditure in a forest. Of course I do not mean

**The Hon'ble Mr. J. DONALD:** Which figure do you mean?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** Do you mean Detailed Account 8B?

**Maulvi WAHED HOSSAIN:** Yes In the year 1925-26 the figure is Rs. 8,150 *plus* Rs. 122; in 1924-25 it was Rs. 8,000; before that it was Rs. 8,100; in 1923-24 it was Rs. 9,905.

**The Hon'ble Mr. J. DONALD:** This is a non-voted item.

**Maulvi WAHED HOSSAIN:** Whether it is a non-voted item or not, the amount required for contingent purpose this year is not a small one and I beg to submit that such a big amount should not be allowed.

**The Hon'ble Mr. J. DONALD:** Which is the big amount?

**Maulvi WAHED HOSSAIN:** Is not Rs. 79,000 a big amount?

**The Hon'ble Mr. J. DONALD:** That is a non-voted item as I have remarked before.

**Maulvi WAHED HOSSAIN:** The demand is there whether voted or non-voted.

There are other items also, for example, "Pay of Officers". There, again, I see the amount is not very small. Having regard to the large increases in figures not only under this head but under other heads my complaint is that our expenditure is going on increasing, and, therefore, I submit that there should be some cut at least out of the demand of Rs. 7,79,000. I ask the House to consider whether such a small cut will interfere with the efficiency of the department. But if it is contended that it will interfere with the efficient administration of the department then I suggest that the amount should be reduced by other means, *e.g.*, retrenchment. I hope this cut should be allowed.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** It is not unnatural that while members are speaking on the Forest Budget some amount of bewilderment may arise. As a matter of fact, if Shah Syed Emdadul Haq and Maulvi Wahed Hossain had carefully examined the figures in the Budget they would not have brought in their motions. When the latter said that there had been a steady increase in contingent charges he missed the figures in italics that these were non-voted. Even taking the figures of the non-voted items, if a comparison is made between the figures of 1923-24 and 1925-26 it will be found that the expenditure in the year 1925-26 is less than that provided in the year 1923-24. As regards the reduction by Re. 1——

**Mr. PRESIDENT:** We have not come to the Re. 1 motion yet. We are now only discussing a cut of Rs. 79,000.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motions. The position is that if we spend Rs. 13,12,000 on forests we may reasonably hope to get a return of Rs. 23,40,000. If, on the other hand, the demand is reduced by this small figure of Rs. 79,000 it will necessarily follow that the receipts will be reduced by more than double the amount.

**Maulvi SAYEDUL HOQUE:** I beg to move that the demand of Rs. 7,79,000 under the head "8.—Forests (Reserved)" (page 41, Civil Estimate) be reduced by Re. 1.

**Rai HARENDRANATH CHAUDHURI:** I beg to support the motion moved by my friend Maulvi Sayedul Hoque. I would like to have information on some points. I remember in the old Council my friend Babu Indu Bhusan Dutta put in a very strong plea for the Indianisation of the Forest Service. The then Hon'ble the Member in charge of the Department professed some sympathy for that plea and I, therefore, wish to inquire what has been done in that matter. This year we see in the Civil Budget Estimates that the pay of two recruits to the Imperial Forest Service has been provided for. I should like to know whether these two recruits are Indians or not.

Then, Sir, there is another point on which I desire information, namely, about the Forest Engineer. On this point the Retrenchment Committee recommended that—

the only post the necessity for which we doubt is that of the Forest Engineer. It was created very recently, and we are not convinced there is work for a whole-time officer of this kind in Bengal. If the need for expert advice in this direction was felt, the proper course, we think, would have been to engage a competent Forest Engineer temporarily to report to Government after a survey of provincial conditions. We recommend that the permanent post that has been created be abolished

With regard to this recommendation of the Retrenchment Committee the Government decision was to the following effect: The Government announced that "it has been decided to keep the proposed abolition in abeyance for at least two years as there are several remunerative schemes under consideration which cannot be undertaken without the services of the Forest Engineer." I think these two years are over by this time. If so, I should like to know what Government has done in the matter or what further decision Government has come to with regard to this question. These are the two points on which I should like to have information.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose the motion for the reduction of the grant by Re. 1. Well, Sir, as regards Rai Harendranath Chaudhuri's query, I should refer him to the Lee Commission's Report in which a recommendation has been made that 75 per cent. of the Imperial Service appointments will be held by Indians and that the whole of the Provincial Service will be manned by Indians.

**Rai HARENDRANATH CHAUDHURI:** How far has the Indianisation been given effect to?

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** That is a matter under consideration now. As regards the Forest Engineer it is too soon to pronounce a judgment, but experience already shows that the creation of the post is justified. If my friend

would come and see me in the Secretariat, I should be able to explain the matter to him in detail.

The motion of Shah Syed Emdadul Huq was then put and lost.

The motion of Maulvi Wahed Hossain was then put and lost.

The motion of Maulvi Sayedul Hoque was then put and a division taken with following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romas Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Beer, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra,
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Baroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Naskcr, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Taraidar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H,
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. G.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.

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| Roy, Mr. Tarit Bushan. | Travers, Mr. W. L. |
| Roy, Raja Manilall Singh. | Villiers, Mr. E. |
| Skinner, Mr. S. A. | Wilson, Lt.-Col. R. P. |
| Stephenson, the Hon'ble Sir Hugh. | Woodhead, Mr. J. A. |
| Swan, Mr. J. A. L. | |

The Ayes being 49 and the Noes 66, the motion was lost.

The original demand that a sum of Rs. 7,79,000 be granted for expenditure under the head "8.—Forests" (page 41, Civil Estimate) was put and agreed to.

9.—Registration.

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** I move that a sum of Rs. 19,19,000 be granted for expenditure under the head "9.—Registration" (page 43, Civil Estimate).

**Babu KHAGENDRA NATH GANGULY:** I beg to move that the demand of Rs. 83,000 under the head "9A.—Registration—Superintendence" (page 43, Civil Estimate) be refused.

The following motion was called but not moved:—

**Maulvi ZANNOOR AHMED:** That the demand of Rs. 83,000 under the head '9A.—Superintendence' be reduced by Rs. 3,000."

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** I cannot think that the mover believes that the Registration Department which controls over 400 registration offices and over 300 Muhammadan Marriage Registration Officers can be run without an administrative head and an inspecting agency. The headquarters staff has within the last year or two been reduced to a minimum. The number of Inspectors has been reduced from 3 to 1. The Personal Assistant is now a Sub-Registrar instead of a highly paid officer of the Bengal Civil Service. The only item of the detailed estimates which shows any considerable increase is travelling allowance. The actuals for 1923-24 amounted to Rs. 8,000. The demand for next year is Rs. 9,000. Every one who has dealings with sub-registry offices must be aware of the benefits which regular inspection brings and of the dangers to which the department and the public would be exposed if inspection were curtailed. I have no responsibility for the estimates under consideration, but I am assured that they have been framed as economically as possible. I ask the Council to reject this motion.

The motion of Babu Khagendra Nath Ganguly was then put and a division called.

**The Hon'ble Sir HUGH STEPHENSON:** On a point of order, Sir. Are members of the House sitting in the visitors' gallery entitled to go to the Division Lobbies to record their votes?

**Mr. PRESIDENT:** Owing to the bad arrangements we have in the Chamber, any member speaking to his friends in the gallery is technically inside the Chamber and is, therefore, entitled to vote. But I would ask the members to avoid in future as far as possible occupying seats in the visitors' gallery. There is plenty of room in the House.

**The Hon'ble Sir HUGH STEPHENSON:** I did not raise this question in a carping spirit but simply to obtain a ruling.

**Mr. PRESIDENT:** It is very difficult for me to give a ruling. But I cannot say that a member is outside the House when as a matter of fact he is speaking to his friends in the lower gallery which forms part of the Chamber.

The following was the result of the division:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Chakravarti, Babu Jogindra Chandra.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chundar, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Reikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinranjan.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Taraidar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayabuddin.
Ahmed, Maulvi Zanneor.
Airy, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Sand, Mr. R. N.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. C. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharraf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.

Liddell, Mr. M. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morgan, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bushan.
Roy, Raja Manilell Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 45 and the Noes 66, the motion was lost.

**SHAH SYED EMDADUL HAQ** moved—(*a*) That the demand of Rs. 7,74,120 under the head "9B.—District Charges—Pay of Registrars and Sub-Registrars" (page 44, Civil Estimate) be reduced by Rs. 4,120.

(*b*) That the demand of Rs. 7,74,120 under the head "9B.—District Charges—Pay of Registrars and Sub-Registrars" (page 44, Civil Estimate) be reduced by Re. 1.

He spoke in Bengali. The English translation of his speech is as follows:—

Our recommendations are trampled down at every step. The Retrenchment Committee was, however, constituted with Government nominees and it is difficult to see why the report of this comimttee should also be trampled under foot. Why has provision been made for 469 officers in the place of 464 recommended in their report? Though no increased demand for grant has been made in the Budget in connection with it, the increase in number does not appear to be quite justifiable. In our opinion the number can be reduced and the recommendation of the Retrenchment Committee runs to the same effect. Some mystery must be connected with this increase in the number effected in disregard of this view. The demand for the salaries for the additional five officers should be rejected in this circumstance. As the Budget does not give any correct idea of the amount required to pay these five officers, I take it to be Rs. 4,120 calculating from the rate of pay and move the first motion for the reduction of this amount. I move also the second one in case the first one is rejected.

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** The two main causes of the increase in the Registration Estimates are the incremental pay of the officers of the department and the provision of the rent of the Calcutta office for two years. The latter item may not actually be required but to be on the safe side it must be provided. The Calcutta office is located in a building belonging to the Government of India and the question of whether this Government should pay rent for it is under discussion with that Government.

**Mr. PRESIDENT:** Owing to the bad arrangements we have in the Chamber, any member speaking to his friends in the gallery is technically inside the Chamber and is, therefore, entitled to vote. But I would ask the members to avoid in future as far as possible occupying seats in the visitors' gallery. There is plenty of room in the House.

**The Hon'ble Sir HUGH STEPHENSON:** I did not raise this question in a carping spirit but simply to obtain a ruling.

**Mr. PRESIDENT:** It is very difficult for me to give a ruling. But I cannot say that a member is outside the House when as a matter of fact he is speaking to his friends in the lower gallery which forms part of the Chamber.

The following was the result of the division :—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Chakravarti, Babu Jogindra Chandra.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Datta, Babu Akhil Chandra.
Dey, Babu Doroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Attab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinlranjan.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneer.
Airy, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. M.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.

Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morgan, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Ray, Mr. Tarit Bushan.
Roy, Raja Manilell Singh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 45 and the Noes 66, the motion was lost.

**SHAH SYED EMDADUL HAQ** moved—(*a*) That the demand of Rs. 7,74,120 under the head "9B. District Charges Pay of Registrars and Sub-Registrars" (page 44, Civil Estimate) be reduced by Rs. 4,120.

(*b*) That the demand of Rs. 7,74,120 under the head "9B. —District Charges—Pay of Registrars and Sub-Registrars" (page 44, Civil Estimate) be reduced by Re. 1.

He spoke in Bengali. The English translation of his speech is as follows:—

Our recommendations are trampled down at every step. The Retrenchment Committee was, however, constituted with Government nominees and it is difficult to see why the report of this comimttee should also be trampled under foot. Why has provision been made for 469 officers in the place of 464 recommended in their report? Though no increased demand for grant has been made in the Budget in connection with it, the increase in number does not appear to be quite justifiable. In our opinion the number can be reduced and the recommendation of the Retrenchment Committee runs to the same effect. Some mystery must be connected with this increase in the number effected in disregard of this view. The demand for the salaries for the additional five officers should be rejected in this circumstance. As the Budget does not give any correct idea of the amount required to pay these five officers, I take it to be Rs. 4,120 calculating from the rate of pay and move the first motion for the reduction of this amount. I move also the second one in case the first one is rejected.

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** The two main causes of the increase in the Registration Estimates are the incremental pay of the officers of the department and the provision of the rent of the Calcutta office for two years. The latter item may not actually be required but to be on the safe side it must be provided. The Calcutta office is located in a building belonging to the Government of India and the question of whether this Government should pay rent for it is under discussion with that Government.

The demand of Rs. 7,74,120 for the pay of Registrars and Sub-Registrars is not excessive. The actual pay of these officers has been calculated to be Rs. 7,89,000 but this has been reduced by Rs. 15,000 as some saving may be effected by deaths, retirements, etc. I ask the Council to reject this motion and I give my assurance that I shall administer the department with all possible regard to economy.

The motion (*a*) of Shah Syed Emdadul Haq was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Chakravarti, Babu Jogindra Chandra.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Datta, Babu Akhil Chandra.
Dafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Sateowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zanneer.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Barma, Rai Sahib Panchanan.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Raja Manikeh Singh.

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| Skinner, Mr. S. A. | Villiers, Mr. E. |
| Stephenson, the Hon'ble Sir Hugh. | Wilson, Lt.-Col. R. P. |
| Swan, Mr. J. A. L. | Woodhead, Mr. J. A. |
| Travers, Mr. W. L. | |

The Ayes being 39 and the Noes 64, the motion was lost.

The motion (*b*) of Shah Syed Emdadul Haq was then put and lost.

## Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 19th March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

The Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 19th March, 1925.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 124 nominated and elected members.

### Unstarred Questions

### (answers to which were laid on the table).

### Personal Assistants to Commissioners.

**44. Maulvi WAHED HOSSAIN:** Will the Hon'ble the Member in charge of the Appointment Department be pleased to state the Government's decision on the proposal of granting an allowance of Rs. 100 per month to the Personal Assistants to the Commissioners?

**MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** No such proposal is or has been under the consideration of Government.

### Sale of obscene pictures.

**45. Maulvi WAHED HOSSAIN:** (*a*) Has the attention of the Hon'ble the Member in charge of the Police Department been drawn to the sale of obscene pictures mostly to students and youths on the footpath near College Square?

(*b*) If so, what steps, if any, have the Government taken to prohibit such sales?

**MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*a*) and (*b*) My attention has been drawn to the sale of these pictures, and to the fact that they are sold in quarters where students are numerous. I need hardly add that I fully endorse the condemnation of this practice which has appeared in the press. Several prosecutions have been instituted but these have not yet put a stop to the evil. Neither Government nor the Commissioner of Police will relax their efforts until this practice has been stopped.

## The Budget of the Government of Bengal for 1925-26.

### Demands for Grants.

The discussion on the demands for grants was resumed.

9.—REGISTRATION.

**SHAH SYED EMDADUL HAQ** moved—

"That the demand of Rs. 5,000 under the head '9B.—District Charges—Provision for new Sub-Registry Offices' (page 44, Civil Estimate) be refused."

"That the demand of Rs. 5,000 under the head '9B.—District Charges—Provision for new Sub-Registry Offices' (page 44, Civil Estimate) be reduced by Re. 1."

He addressed the Council in Bengali. The English translation of his speech is as follows:—

In 1921-22 the total expenditure of the Registration Department was Rs. 25,48,000; in 1922-23 it was Rs. 24,67,000; in 1923-24 it was Rs. 24,49,000 and in 1924-25 it was Rs. 24,50,000 and in the revised estimate of the same year it was Rs. 2,55,000. Provision for the same amount has been made in the budget for the current year.

Registration fees make up the chief source of income of the department. Generally only those documents are registered, the registration of which is compulsory. Whether the office is located near or far away at a distant place, such documents will be registered because binding. Where registration is not compulsory, documents are not as a rule registered except in cases of doubt or where specially needed. It cannot be said then that even the creation of new offices will either effect an increase in the cases of registration, or bring about additional income.

It will be seen from the account given above that there has been no substantial increase of the income of the Registration Department. A slight increase is supposed to have occurred in the current year from an examination of the income during the last ten months, but the cost has increased from Rs. 15,56,000 in 1921-22 to Rs. 17,79,000 in 1923-24 and in the current year's budget the voted item has been estimated at Rs 18,49,000, corrected in the revised estimate to Rs. 18,37,000. This the cost is increasing day by day. The Retrenchment Committee recommended the abolition of some offices to effect a reduction, but Government show their respect for the Committee's findings by demanding more and more money for new offices. We do not know on behalf of which locality or office this demand for grant has been made in the Council for its sanction, but we felt very much surprised when we

heard of an attempt made by some ultra-loyal wealthy people in Tippera to establish an office at the house of one of them and considered it quite impudent. The public would not have benefited in any way by the establishment of an office on the premises of a private party; on the contrary it would give that party an opportunity to have documents registered to their advantage by the use of undue influence or pressure. We do not know whether the object behind this demand for grant has reference to this case or any such case elsewhere. It is needless to say that as the authorities of our district took up the suggestion of those people, either because they were wealthy men or because they were sycophants, as a serious matter for consideration, there were many petitions submitted to the authorities strongly protesting against the proposal. The creation of new offices and increase of officers are in many cases due to a desire to placate a few faithful people or to make provision for their relatives.

The plea of the advantage of the public is of course given in a suitable manner in such cases; but it is a matter for regret that Government forget the same public when the vital questions of education and sanitation are concerned.

There are many places even at the present time where there is no separate office for registration and the work is done at those places by the District Collector or the Munsif.

In fact we constantly find instances of the autocracy of Government. The Ministers, instead of being guided by the advice of ours who are representatives of the people, depend on the reports of the District Magistrates who are Government representatives. Those Magistrates may be known as Civilians, and we may have not as yet any designation or title, but is it not the duty of the Ministers to realize that we occupy responsible position as representatives of the people? Government have not approached us for the grant of the salaries of their high officials. Their salaries are among the non-voted items. It is because the Ministers are expected to work under our advice that the granting or rejection of their salaries depends on us. Though it is we who must grant their salaries, the reappointment of them lies in the hands of Government. It is because of this that there is such fuss over the question of the Ministers' salaries. I shall speak about these things when the question of the Ministers' salaries comes before us, while I shall confine myself to remarking in this connection that the result of autocratic action on the part of Government, in defiance of the views of the representatives of the people, would not do good in any way.

My old brother member, Sir Provash Chunder Mitter, is still a member of this House. When last year I moved a motion for reduction of the cost of the sub-registration offices in obedience to the recommendation of the Retrenchment Committee, he replied that he could

not act solely on the advice of the Committee, it was his duty to look as well to local convenience. It may be safely said that the Ministers do not hold any personal enquiry, but depend on the reports given by the local Magistrate and take action on those reports. Even he will not probably say to-day such a thing or support Government. For these reasons I move this motion for the rejection *in toto* of the cost of establishing new offices, and request the Hon'ble Minister, before I resume my seat, to accept this motion and display a bit of moral courage. Even if it is so badly needed he may bring it up again in the supplementary budget. If he does not do it, we shall understand thereby that he does not act placing his reliance upon our sense of responsibility, but that he depends entirely upon the reports received from the bureaucracy. It is a matter for regret that the Ministers, who are responsible to us, fail to become popular because of their inability to give indications of their sense of responsibility due to complete surrender to the bureaucracy. Do they not know that the people rejoice over their defeats? I hope that the Hon'ble Minister will try to become popular little by little by accepting the motion. The post of Minister is but for a day but nobility of conduct will be always remembered.

**Maulvi MD. NURUL HUQ CHAUDHURY:** On a point of order, Sir, may I inquire the time we have got at our disposal to-day to discuss this subject?

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** Thirty-five minutes, Maulvi Sahib; the time expires at 3-36 P.M.

**Babu BEJOY KRISHNA BOSE:** I want to say one word in connection with this motion. I consider that this motion is eminently reasonable. Reference has been made by the previous speaker to the report of the Retrenchment Committee. I find from the report with regard to the Registration Department only three recommendations were made: one was the abolition of the post of the Inspector-General of Registration on the ground that he spends five months a year in Delhi and Simla as a member of the Assembly and two months on holidays, and he works for only four or five months and that this work can be done by the Commissioner of Excise. The second recommendation was with regard to the abolition of certain sub-registry offices. The report says that there are a number of superfluous sub-registry offices which ought to be abolished. The Committee called for a report from the Inspector-General as to the number and the names of the registration offices which could very well be abolished. The report submitted by the Inspector-General contained the names of 12 sub-registry offices which in the opinion of the Inspector-General might very well be abolished, thereby causing a saving of Rs. 27,000 a year. That was one of the recommendations of the Retrenchment Committee

based upon the report of the Inspector-General. Has any one of these 12 sub-registry offices been abolished? If not, then why is there this provision of Rs. 5,000 in the budget for opening new sub-registry offices? If the Government retrench on the one hand by abolishing these 12 offices and increase the expenditure on the other by opening new offices, they might say that there are places where these should be started because of their importance. But all that we know is that the 12 offices, which the Inspector-General recommended for abolition, have not been abolished. I appeal to the members of this House to consider it in that light. We find that the head of the department wants to retrench by abolishing certain offices, and the Retrenchment Committee, which was appointed in accordance with the recommendation of this House, also recommended their abolition. Are you going to abide by their recommendation or not? Instead of abolishing you are going to increase, and provision has been made in the budget for opening new sub-registry offices at the cost of Rs. 5,000. Therefore, this sum ought to be refused till the recommendation of the Retrenchment Committee has been given effect to.

**MINISTER in charge of DEPARTMENT of ~~AGRICULTURE and~~ Education ~~ANDMARKETS~~ (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur):** I do not understand the mover's objection to the opening of new sub-registry offices. They are a convenience to the public and an actual or potential source of increased revenue to the Government. Numerous applications are received for the opening of new offices, and it is only after full consideration with special reference to the two criteria mentioned above, namely, the convenience of the public and the financial effect, that the opening of a new office is sanctioned. With regard to Babu Bejoy Krishna Bose's remarks, as a result of the Retrenchment Committee's report the matter was examined and a number of offices were abolished. I cannot offhand give the exact number, but shall be glad to give him the information later. I assure the Council that I shall scrutinize most carefully all proposals for the opening of new offices. I ask the Council to reject these motions.

The motion that the demand of Rs. 5,000 under the head "9B.—District Charges—Provision for new Sub-Registry Offices" be refused was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Syamkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rab.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.

Datta, Babu Akhil Chandra.
Dey, Babu Baroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Nem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Ray, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjea, Babu Satya Kishore.
Banerjea, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. N.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corsoran, Mr. B. J.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Farequi, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Fahlowan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Roy, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Ray, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 54 and the Noes 68, the motion was lost.

The motion that the demand of Rs. 5,000 under the head "9B.—District Charges—Provision for new Sub-Registry Offices" be reduced by Re. 1 was then put and lost.

The following motion was called but not moved:—

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 1,75,000 under the head '9B.—District Charges—Temporary Establishment' (page 44, Civil Estimate) be reduced by Rs. 75,000."

**Babu BORODA PROSAD DEY:** I move that the demand of Rs. 45,000 under the head "9B.—Registration—District Charges—Purchase of Record Racks" (page 44, Civil Estimate) be reduced by Rs. 30,000.

At first sight it looks like a small unimportant matter; but my object in moving this motion is this; when Government choose to spend Rs. 45,000 simply to have record racks in the registration offices, they provide only Rs. 50,000 for combating malaria and Rs. 25,000 for kala-azar, whilst at least four times those sums would barely have been sufficient to meet the purposes. I have no intention to have the House divided upon this question, but I want to put it to Government whether they would be in a position to accept my motion, so that this Rs. 30,000 might be spent on one of those very important subjects which affect the people vitally. These record racks may not be necessary in one year, and I think they may be purchased from an annual recurring grant under this head, so that the saving of Rs. 30,000 can easily be utilised in the way I have suggested.

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** The safe custody of the records of the Registration Department is a duty which Government owes to the public. The necessity for increasing the accommodation for records is obvious, since every year the number of records to be stored increases. These records are valuable documents and their damage or destruction would cause serious loss and inconvenience to the public. During the period of the greatest financial stress, the expenditure on storage accommodation was so restricted that an increase has now become a matter of urgent necessity. I therefore ask the Council in the interest of the public convenience to reject this motion.

The motion of Babu Boroda Prosad Dey was then put and lost.

The following motion was called but not moved:—

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 18,36,000 under the head '9B. Registration—District Charges' (page 44, Civil Estimate) be reduced by Rs. 10,40,000.'

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 18,36,000 under the head "9B.—District Charges" (page 44, Civil Estimate) be reduced by Rs. 75,000.

He spoke in Bengali. The English translation of his speech is as follows:—

While moving my former motion I have shown that the income has fallen by a lakh from 1921-22. It has been calculated that the income will increase in the present year by nearly a lakh merely from an examination of the incomes during ten months. Even then the total income will not rise above the income during 1921-22. I have also shown in that connection how the cost has increased. From Rs. 15,56,000 during 1921-22 it rose to Rs. 17,57,000; then it rose to Rs. 17,79,000; in the current year it rose to Rs. 18,53,000 cut down to Rs. 18,37,000 in the revised estimate and by the same process it has been increased to Rs. 19,23,000 for the next year. Where there is no increase in income, why should the cost be increased like this? In spite of these considerations, I move my motion for reduction of only Rs. 75,000. The heads under which cost has been increased have been enumerated in moving the motion in connection with office records, etc., and it has been increased under travelling allowance and other heads.

**Babu MANMATHA NATH ROY:** As the subject matter of my motion is the same as that of the earlier motion, I support the motion of Shah Syed Emdadul Haq.

The following motions were called but not moved:—

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 18,36,000 under the head '9B.—District Charges' (page 43, Civil Estimate) be reduced by Rs. 45,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 18,36,000 under the head '9B.—Registration—District Charges' (page 43, Civil Estimate) be reduced by Rs. 10,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 18,36,000 under the head '9B.—District Charges' (page 44, Civil Estimate) be reduced by Re. 1."

**The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur:** The movers have possibly not realized the results which must follow if a large lump reduction is made in the budget estimates of the Registration Department. A large reduction can only be effected by reducing the number of offices and thereby curtailing to a great extent the facilities now offered to the public for the registration of documents. But a change of this kind can only be effected after lengthy enquiries, in order that it may be carried out in such a way as to cause the minimum of inconvenience to the public. I am not responsible for the present estimates, though from what I know of the

Finance Department I feel sure that they do not err on the side of extravagance. What I urge on the Council is that the only possible results of an attempt to give effect to a large cut will be to throw the working of the department out of gear. The public will suffer and the revenues will be seriously affected. If the movers consider that the Registration Department should close down a large number of its offices there are suitable ways of bringing their opinion before the Council, as for instance by means of a resolution. The proposal can then be examined and, if approved, a scheme can be drawn up for giving effect to it. But a sudden and drastic reduction of the demand can only lead to disorganization and chaos. I ask the Council to reject these motions.

The motion of Shah Syed Emdadul Haq was then put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 19,19,000 under the head "9.—Registration (Transferred)" (page 43, Civil Estimate) be refused.

He spoke in the vernacular in support of his motion.

**Maulvi ASIMUDDIN AHAMAD** spoke in vernacular in support of the motion.

The motion was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Beroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. O.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.

Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. B. E. C.
Farequi, Khan Bahadur K. C. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morgan, Mr. G.
Morgan, Mr. O.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukheh.
Skinner, Mr. S. A.
Stephensen, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 42 and the Noes 70 the motion was lost.

The time-limit under head "9. Registration" having been reached, the following motions were not put:

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 19,19,000 under the head '9.—Registration (Transferred)' (page 43, Civil Estimate) be reduced by Rs. 7,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 19,19,000 under the head '9.—Registration' (page 43, Civil Estimate) be reduced by Rs. 3,00,000."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 19,19,000 under the head '9.—Registration' (page 43, Civil Estimate) be reduced by Rs. 75,000."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 19,19,000 under the head '9. Registration' be reduced by Rs. 100."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 19,19,000 for expenditure under the head '9.—Registration' (page 43, Civil Estimate) be reduced by Re. 1."

The original demand that a sum of Rs. 19,19,000 be granted for expenditure under the head "9.—Registration" (page 43, Civil Estimate) was then put and agreed to.

9A.—SCHEDULED TAXES.

**MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald):** I move that a sum of Rs. 15,000 be granted for expenditure under the head "9A.—Scheduled Taxes" (page 44, Civil Estimate).

This is the expenditure in collecting the betting tax. It is a small amount to realise about 20 lakhs.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 15,000 under the head "9A.—Scheduled Taxes" (page 44, Civil Estimate) be refused.

The Finance Member has told us that this amount is required to realize Rs. 20 lakhs which the Royal Calcutta Turf Club raise in taxes on betting on racing and this amount has to be collected by a certain agency and there is no other agency except the Royal Calcutta Turf Club who can conveniently do it. Sir, the Royal Calcutta Turf Club have got many of their stands in Calcutta and I do not know what amount of revenue they pay either to the Government of Bengal or to the Government of India for the use of the Maidan and also for the structures they have erected on the Maidan. If any money has to be realized from the Royal Calcutta Turf Club or through its agency, there ought to be a set-off for giving them the land and also allowing them to run races in Calcutta to the detriment of the public at large, because the people who go to the races are either the rich folks or those people who could afford to do it. It is a standing disgrace to the Indians that racing should be allowed in Calcutta. We cannot call into question the arrangement that has been entered into between the Royal Calcutta Turf Club and the Government of India, but so far as we, the people of Bengal, are concerned, we want that betting on races should at least be prohibited to the rich and to the poor alike. On these grounds I think that this demand should be reduced.

**Babu MANMATHA NATH ROY:** I oppose this demand and in doing so, I shall refer to the amount which the Royal Calcutta Turf Club gets, viz., Rs. 15,000. I believe this represents a certain share of the total amount which the Club realizes in respect of betting, and I believe the amount, or rather the extent of the amount, is determined by a simple process, viz., that of calculating the share of the total amount realized. This, I believe, is a very simple problem of arithmetic which a student in the lowest class of our schools may be able to work out in five or ten minutes. I do not know if that should involve an expenditure of so much money.

**The Hon'ble Mr. J. DONALD:** I think Maulvi Nurul Huq Chaudhury must have been talking with his tongue in his cheek all the

time. On the point of a set-off, even if there were anything of the kind he indicates, rent, etc., this set-off could not be in this particular budget head. It would have to be on the revenue side or under some other head. The expenditure must appear under this head. The Royal Calcutta Turf Club do all the checking of the bookmakers' earnings and the work is not very difficult whether the sum involved is big or small. The check required still exists for large or small sums. We have found that the best way to deal with this collection is to give the Royal Calcutta Turf Club a fixed remuneration rather than a varying figure, and the sum we pay them is Rs. 15,000 for the work they do in collecting this tax for us; considering the realizations, namely, Rs. 20 lakhs, the payment is not at all a high figure. I therefore oppose the motion.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and a division taken with the following result:

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Beroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayadul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Misra, Babu Jogendra Nath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Roy, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar
Sarker, Babu Nalinıranjan.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Alay, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Asraf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.

Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 43 and the Noes 72, the motion was lost.

The original demand that a sum of Rs. 15,000 be granted for expenditure under the head "9A. Scheduled Taxes" was then put and a division taken with the following result:—

**AYES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Jennaway, Mr. J. H.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

**NOES.**

Huq, Maulvi Ekramul.

The Ayes being 61 and the Noes 1, the motion was carried.

**Dr. KUMUD SANKAR RAY:** On a point of order, Sir, may I inquire whether a member is permitted to come back, after voting, by that door?

**Mr. PRESIDENT:** So long as the door is open, and it does not matter much when his vote has been recorded. It is much more convenient of course to come by the other door.

(At this stage the Council was adjourned for 10 minutes.)

(After the adjournment.)

15.—IRRIGATION.

**MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia):** I move that a sum of Rs. 32,14,000 be granted for expenditure under the head "15. Irrigation" for other revenue expenditure financed from (*i*) ordinary revenue, and (*ii*) Famine Insurance Grants.

**SHAH SYED EMDADUL HAQ** moved—

(*i*) "That the demand of Rs. 87,000 under the head '15. Other Revenue Expenditure financed from ordinary Revenue 15A. Irrigation Works' (page 45, Civil Estimate) be refused."

(*ii*) "That the demand of Rs. 87,000 under the head '15A. Irrigation Works' (page 45, Civil Estimate) be reduced by Rs 37,000."

He addressed the Council in Bengali. The English translation of his speech is as follows:

It may be said that I move the first one to protest against the autocracy of Government, though there are other grounds. There is written in page 45 of the Budget works for which neither capital nor revenue accounts are kept. What are we really to think of such a procedure? An attempt will be undoubtedly made to show that the subject is one of necessary public benefit. I reserve for the future my remarks as to the extent of the benefit the public will receive therefrom and the existence of other more urgent works of this nature.

There may be differences of opinion with regard to the second motion given above, and one might be opposed in principle to the rejection of the entire demand, but in respect of the present motion there cannot be any difference of opinion, nor any objection of principle. On the contrary, there is strong ground to vote for it. The cost under this head in the current year's budget was Rs. 32,000 raised in the revised estimate to Rs. 50,000 by an increase of Rs. 37,000. For these reasons I move for the reduction of Rs. 37,000.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose these motions. This grant is the total under 15A

and comprises the Eden Canal (Rs. 69,000), Pensions (Rs. 16,000) and Dolong Surveys (Rs. 2,000); the Eden Canal grant is for ordinary maintenance *plus* Rs. 5,000 for alterations to the Jamalpore sluice for obtaining more water for flushing the old river beds in the Burdwan, Hooghly and Howrah districts; Rs. 5,000 for a new regulator on the Kana Damodar, half of which will be paid for by the estate benefited, and Rs. 15,000 for repairs to the Chowberia bridge, which is on the point of collapse. The demand of Rs. 16,000 for pensions is purely an accounts adjustment and is now shown under this head in place of under head 45; Rs. 2,000 for the Dolong surveys is for completing the preparation of the Dolong irrigation scheme in the Midnapore district, in connection with which the Commissioner has pressed Government to give money to expedite matters.

The motion No. (*i*) of Shah Syed Emdadul Haq was then put and lost.

The motion No. (*ii*) of Shah Syed Emdadul Haq was then put and a division taken with the following result:

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Syomkes.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Haq, Shah Syed Emdadul.
Heque, Maulvi Sayedul.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Chaudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Yasin, Maulvi Muhammad.

**NOES.**

Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Birley, Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Das, Babu Charu Chandra.
Claud, Mr. M.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.

Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Radia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Abdah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Woodhead, Mr. J. A.

The Ayes being 36 and the Noes 49, the motion was lost.

**Babu BORODA PROSAD DEY:** I move that the demand of Rs. 2,90,000 under the head "15. Irrigation Works in progress - Remodelling Hoorhoora Khal" be reduced by Rs. 90,000.

By some strange procedure, which I, for myself, do not understand, although we have been discussing about a thousand items on demands for grants, why we members are precluded from doing two things. We are not permitted to say anything with regard to the amounts that have been put on the receipt side. So we are not in a position to say whether a particular item on this side has been put at a much higher figure than what it should have been. I do not know, when we are called upon to discuss a certain budget, why we are precluded from doing a thing like that. The next thing that we are precluded from doing is this. We are not in a position to move that a particular amount under a particular head should be increased. I really fail to understand the reason why the members of the Council are thought not competent in this respect.

**Mr. PRESIDENT:** Our procedure in this respect happens to be based upon the rules passed by Parliament. That is why we cannot do as the member suggests.

**Babu BORODA PROSAD DEY:** Very well, Sir, we must take it as it is. In any case we are, I submit, precluded from doing these two things. Sir, it is on that account that I have put down my motion like this. For aught I know this project for which this money has been provided is an important one, it may be also necessary, but, as we cannot ask the Government to increase the grant upon any particular item, although it may be very important and necessary for the well-being of the nation, we have got to suggest certain cuts in certain other items. It is in this light, Sir, that I have put down this motion. My intention is that this sum of Rs. 90,000 from a total demand of Rs. 2,90,000 may be taken from under that head and spent under heads in which Government, for reason known only to themselves, have provided very meagre sums. Sir, it is very ridiculous that for malaria and kala-azar—the two very great scourges of the province and for which people within this Council Chamber and outside it,—people from the press as well as from the platform, have cried themselves hoarse—I find that under these heads larger

provisions have not been made. Sir, we find that under such heads very meagre sums have been allotted and Rs. 2,90,000 has been provided for a project like this. It is on that account that I ask Government that they would see their way to spend two lakhs of rupees over the project during the next official year, and the saving of Rs. 90,000 thus effected may be utilised on malaria and kala-azar.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** This demand is for the completion of the dredging of the Hoorhoora khal in the Howrah district to release the Damodar and other floods in the Rupnarain: the dredger is working there now; and all other work has been kept in abeyance pending the finishing of the dredging work. It would be economical to have the dredging of the canal first which is silting up.

Sir, the hon'ble mover has himself admitted that this is a very necessary project. So I have very little to add to that. Sir, he has also made certain general remarks regarding the way in which the budget is framed. I do not remember whether he took the opportunity of speaking on this point when the general discussion of the budget was going on. If he has not, I am afraid he must have lost his chance. This is not the proper time when he can raise points of issue of a general nature. He has also said that there are scourges - such as malaria and kala-azar for which sufficient provision was not made, and would prefer making larger provisions by depriving my department of a certain amount. I may point out that flood is not a lesser scourge than malaria and kala-azar. On these grounds I oppose the motion.

**Babu BORODA PROSAD DEY:** May I speak a word by way of personal explanation? I never admitted that this is an important project. What I said was that, for aught I know, it may be an important project.

The motion of Babu Boroda Prosad Dey was then put and lost.

The following motion was called but not moved:—

**Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY, Babu ABANISH CHANDRA RAY, Maulvi SAYEDUL HOQUE and SHAH SYED EMDADUL HAQ:** 'That the demand of Rs. 14,14,000 under the head '15.- Other Revenue Expenditure financed from ordinary revenue for 2B.—Navigation, etc.' (page 45, Civil Estimate) be refused."

**Rai SATYENDRA NATH ROY CHAUDHURI Bahadur:** I move that the demand for Rs. 14,14,000 under the head " 15B.—Navigation, Embankment and Drainage Works " be reduced by Rs. 1,09,000.

The object of my motion is to refuse totally the allotment of Rs. 1,09,000 for widening the Buxi khal. We are not aware of the

particular and special importance of this work, whether it is with a view to improve sanitation or communication or to profit a particular class of people. There are many other far more important works and projects of irrigation in different districts which will improve both sanitation and communication in the locality. I do not understand why special preference has been given to this particular work. Many districts are pressing for very useful irrigation works and they are refused on the grounds of financial stringency, *e.g.*, the Damodar channel in the Bakarganj district and Bemorta khal and Alayeepur Canal in the Khulna district, which require improvement. I, for myself, do not understand what special merit this project has got to override financial consideration. This sum of Rs. 1,09,000 can be more profitably employed in relieving the water-scarcity of Bengal, in advancing the education of the backward classes, which has been ignored altogether in this year's budget.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I oppose this item for the widening of the Buxi khal in the Howrah district, for which I think in the last Council we had a good deal of talking. This work is required to release the floods of the Damodar and Sitalakhi into the Rupnarain. The dredger is now used in the Hoorhoora khal. After completing that work it will take up this work.

Sir, the hon'ble mover has referred now to the Damodar Canal in Bakarganj. I may point out to him that my department has got nothing to do with that canal because it is under the District Board. As regards the Alayeepur Canal in the Khulna district, I may inform him that a scheme is being prepared and it will be taken up in due course.

The motion of Rai Satyendra Nath Roy Chaudhuri Bahadur was then put and a division taken with the following result:

AYES.

Ahamad, Maulvi Aamuddin.
Ahmed, Maulvi Najmuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjea, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Baroda Prasad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasheid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Ray, Babu Manmatha Nath.
Ray, Dr. Sidhan Chandra.
Ray, Mr. D. N.

Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sen Gupta, Mr. J. M.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Eddis, Mr. B. E. C.
Farequi, Khan Bahadur K. C. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrut.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Merene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Woodhead, Mr. J. A.

The Ayes being 45 and the Noes being 62, the motion was lost.

The following motion was called but not moved:-

**Mr. J. M. SEN GUPTA and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 15,01,000 under the head '15.—Irrigation—Other Revenue Expenditure financed from ordinary Revenue (Reserved)' (page 45, Civil Estimate) be refused.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 15,01,000 under the head "15B.—Navigation, Embankment and Drainage Works" (page 45, Civil Estimate) be reduced by Rs. 2,01,000.

He spoke in Bengali. The English translation of his speech is as follows:—

This motion is for the refusal to grant only Rs. 2,01,000. The subject for which this demand is made will inspire the confidence of the people. The extent of the service actually gained is, however, quite doubtful and there are many mysteries attached to the subject. "Public benefit," "benefit of the country," etc., are empty phrases. Nothing is really done for the people of the country; if it were done

we would not have been confronted with the plea of want of money even in places where vital questions in relation to them are raised. Are not these works of public benefit performed more with an eye to the business and other advantages of foreigners? In connection with these works not only is the money of the poor tax-payers of the country spent with absolute indifference to their feelings, they are also subjected to oppression in many cases. Notwithstanding this the present motion is not for the rejection of the entire demand but only for the reduction of Rs. 2,01,000 out of Rs. 15,01,000. The cost under this head was Rs. 11,95,000 last year which has been increased by Rs. 3,06,000. In these circumstances Rs. 2,01,000 only may be cut down from it and devoted to the improvement of rural sanitation. Even that would considerably improve the situation.

**Babu Hemanta Kumar SARKAR:** I move that the demand of Rs. 15,01,000 under the head "15. Other Revenue Expenditure financed from ordinary revenue (Reserved)" (page 45, Civil Estimate) be reduced by Re. 1.

I move this censure motion to draw the attention of the Hon'ble Member in charge of the Irrigation Department to certain matters. Sir, I was, though not a fisherman, elected President of the All-Bengal and Assam Fishermen's Association. So I have a natural or, it may be, artificial right to speak on behalf of the fishermen. The fishermen in my district are receiving very bad treatment at the hands of the subordinate officers of this department. The officers of the department have been counting the waves of the rivers in my district since the creation of the earth, but no tangible result has as yet come out of it in the form of reclamation of rivers. The only activity of the department in my district has been the prosecution of several hundreds of fishermen, who have been charged with obstruction to navigation and fined, because they refused to supply fish free of cost to the officers of this department. The Executive Engineer of the Nadia Rivers Division went to visit that place and he admitted that no obstruction was caused, but the inexorable law was there and our proverbially honest police officers were there to help the Irrigation Department, because they were also dissatisfied as they could not get a share of the fish caught by the fishermen. Now, Sir, some thousands of fishermen in my district are going to be thrown out of employment as a result of this inhuman oppression, and when I approached the local office for some information, the Subdivisional Officer of Irrigation refused to give me any information, because he said that there was a departmental circular to the effect that no information should be given to the public from this office. I do not know what the reason was, but I drew the attention of the Secretary of the department, Mr. Addams-Williams, but no help was forthcoming, and he too did not give any answer to me whether there was such a

circular or not. So this censure motion has been brought in by me to draw the attention of the Hon'ble Member in charge of this department, so that this oppression might cease and arrangements may be made for giving information to the public or at least to the M.L.Cs. The fishermen pay rents to the zamindars, from whom they have got the rights of fishery. The Government do not like to prosecute the zamindars who are enjoying the monopoly, but they are now, with the help of the police, prosecuting these poor fishermen, and when an appeal was made to the District Magistrate of Nadia, who has been gazetted to-day Director of Land Records and Surveys, that gentleman reduced the fine from Rs. 25 to Rs. 5. But he said that unless the Canal Act was modified, he could not help. I hope Government will bring forth a measure to remove this difficulty and give the fishermen free right of fishing and issue departmental instructions not to share the booties from nature's rivers.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** In the first place I congratulate my friend on his vicarious existence amongst the experts in the art of fishing. Sir, he made a complaint to me in the lobby and I have promised that I shall institute an inquiry and see that the matter is put right. So far as the presents are concerned, I have no personal knowledge. As a matter of fact, although I am not absolutely a vegetarian like my friend, I have never——

**Babu HEMANTA KUMAR SARKAR:** On a point of personal explanation, I am not a vegetarian.

**Babu BEJOY KRISHNA BOSE:** Although he vegetates in the House.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** These rivers are notified under the Canal Act, and the fishermen are not allowed to cause obstruction by fishing. Government have nothing to do with the fishing rights in these rivers. If the member will come to me and bring forth evidence, I will have inquiries made into the matter. I hope, in view of this assurance, Babu Hemanta Kumar Sarkar will withdraw his motion.

The motion of Babu Hemanta Kumar Sarkar was then, by leave of the Council, withdrawn.

The motion of Shah Syed Emdadul Haq was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Saksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.

Banerjee, Mr. A. C.
Bose, Babu Sejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Dey, Babu Boreda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Saysdul.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohen.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Sateswripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinirnjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Taraidar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbett, Mr. E. O.
Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. B. E. C.
Farequi, Khan Bahadur K. C. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Moreno, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 45 and the Noes 67, the motion was lost.

**SHAH SYED EMDADUL HAQ** moved—

"That the demand of Rs. 10,000 under the head 'Working Expenses' (page 21, Budget) for construction of Calcutta Canals subdivisional office be refused."

"That the demand of Rs. 10,000 under the head 'Working Expenses' (page 21, Budget) for construction of Subdivisional Officer's quarters at Madaripur be refused."

He spoke in Bengali. The English translation of his speech is as follows:—

It has been said repeatedly while moving a large number of motions that though there are many wants and grievances of the country, money has been spent on useless luxuries, but not for the purpose of the removal of these wants and the redress of those grievances. The two motions which I rise to move are for the rejection of Rs. 20,000 demanded for the construction of two buildings, other demands for grants for similar purpose will be made and motions for the refusal of those grants will be duly moved. The building with reference to which the first motion is moved is as unnecessary as the officer for it. Have Government held any inquiry as to the prospects of the betterment of the condition of the poor fisherman in consequence of this department. The building with reference to the rejection of the demand for which the second motion is moved equally unnecessary. Government will undoubtedly say that it would be a better course to drop the question of its construction as they have been able to manage so long without it and devote the money to nation-building work. On many occasions I have pointed out such a clear path to Government, but as we find that we do not command a majority in the House it depends on them to accept or reject our advice. For these reasons I move this motion standing in my name.

**Mr. A. C. BANERJEE:** I have been asked by my friend, Shah Syed Emdadul Haq, to support this motion of his, and I have very great pleasure in doing so. In doing so I should like to point out to the House that these Subdivisional Officers themselves should not first of all exist, much less should there exist any bungalows for them. Why they should not exist I shall presently explain. The Hon'ble Member in charge has told us that under the Canal Act people are prosecuted for obstruction, and these Subdivisional Officers are there to prevent such obstruction. My principal object was to address you, Sir, and Mr. Villiers too.

**Mr. PRESIDENT:** You have had your little joke, Mr. Banerjee, and you may go on now.

**Mr. A. C. BANERJEE:** We are told by the Hon'ble the Maharaja that these Subdivisional Officers have to prevent the obstruction of the canals and the prosecutions undertaken by the Government are under the Canal Act. By Government I mean at the instance of these Subdivisional Officers.

**Mr. PRESIDENT:** You are going beyond the motion on the paper. We are discussing the construction of Calcutta Canals Subdivision office and not prosecutions undertaken by Subdivisional Officers under the Canal Act.

**Mr. A. C. BANERJEE:** I wish I had the privilege of being followed when I began my speech. I explained as to how it was relevant to the present discussion. I said that the Subdivisional Officers themselves should not exist, much less should there exist any bungalows for them, and for that purpose I am explaining why these Subdivisional Officers should not exist.

**Mr. PRESIDENT:** It is not a question of the existence or non-existence of Subdivisional Officers. It is a question of providing money for a subdivisional office. We are concerned with the construction of offices and not with the usefulness or otherwise of such officers.

**Mr. A. C. BANERJEE:** Quite so. If I can convince the House that these officers themselves should not exist, I think it would be easy for me to carry the House with me that there should be no bungalows for them.

**Mr. PRESIDENT:** Unfortunately, Mr. Banerjee, it is not open to you to go into the question of the existence or non-existence of these officers. All we are concerned with at the present moment is whether it is necessary or desirable to construct a subdivisional office. This is quite independent of the existence or non-existence of Subdivisional Officers.

**Mr. A. C. BANERJEE:** Assuming for the sake of argument that these officers are required to live in perpetuity, I should say that they should not exist. After all, these officers are useless officers. They have nothing to do; they certainly do not want, much less reserve, any office accommodation.

Let me explain why I say that they are useless. They are useless because they have not to do any work which is required by the public, but they exist simply for the purpose of persecuting and prosecuting a certain helpless section of the public. We are told that they are there to prosecute, so they must have an office because they are prosecuting people who obstruct navigation in the canals. It is not the fact, because I know that in shallow waters no navigation is possible, and so there can be no prosecution in regard to any obstruction there. But the people are prosecuted as soon as they start fishing, even in shallow water. They exist for the purpose of prosecuting and persecuting the poor fishermen in the mufassal, and therefore they should not have any office at all and have themselves no rights to exist.

**Maulvi ABDUL GAFUR:** I said something about it when discussing another amendment. This is a matter which concerns Eastern Bengal, and Western Bengal knows nothing about it. The town of Pabna is going to be swallowed up by the Ganges and no provision is made either for any embankment or drainage. I also told the Council why these Subdivisional Officers' quarters are necessary at Madaripur. We get no benefit from these irrigation schemes or embankments or drainage at all; the suburbs of Calcutta do, but why should the whole of Bengal pay for a scheme which benefits only a small part of the country? As my friend just now said, these Subdivisional Officers are maintained for the prosecution of poor people and they do no good to the country; they are useless officers and therefore should not exist. I, therefore, ask the House to refuse the demand under this head.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I am sorry I have again to oppose the motion of Shah Sahib. He has been repeating his stereotyped arguments about malaria, kala-azar, etc. I am sure we are not discussing the Public Health Department Budget. However, I do not suppose he is in a serious mood, otherwise he would not have asked for the total refusal of every item.

Regarding Mr. Banerjee's arguments, I have very little to add, except to say that these Subdivisional Officers are necessary, and I hope it is not a stock argument on my part. He has said everything in his usual way, and as a barrister he has tried to make out a case, although he knows that he has not got a case to defend. So, I oppose the motion.

The motions of Shah Syed Emdadul Haq were then put and lost.

The following motion was called but not moved:—

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 3,90,000 under the head 'Working Expenses' (page 13, Civil Estimate) be reduced by Rs. 90,000."

The following motion was, by leave of the Council, withdrawn:—

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 4,86,000 under the head 'Working Expenses' (page 20, Budget) be reduced by Rs. 30,000."

**Rai HARENDRANATH CHAUDHURI:** I move that the demand of Rs. 17,13,000 under the head "Working Expenses" (page 20, Budget) be reduced by Re. 1.

The only object with which I tabled this motion is to enter an emphatic protest against the way in which the Irrigation Budget is presented to us. Hon'ble Members will note that the Irrigation Department Budget is a budget of lump demands. No details are disclosed and we are not allowed to know how much money will be spent on which schemes or projects, what do the establishments cost, etc.

My request is therefore that the Irrigation Department Budget should be presented with fuller details in the future.

**Mr. A. C. BANERJEE:** I want to say only one word. The Hon'ble the Maharaja Bahadur, in replying to the Shah Sahib's motion, said that as a barrister I tried to make out a case. I may, however, tell the Hon'ble Member that a barrister seldom speaks excepting under instructions. Here I was not speaking under any instructions such as the Hon'ble Member was.

The motion of Rai Harendranath Chaudhuri was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakravarty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Beroda Prosad.
Dafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Naskar, Babu Hem Chandra.
Neogi, Babu Manmohan.
Pahlewan, Maulvi Md. Abdul Jubbar.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Mr. H. S.
Taraidar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjea, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. R.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. G. J.
Corsoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Farequi, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharru
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.

Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Maslh, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukarji, Mr. S. C.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 52 and the Noes. 64, the motion was lost.

The time-limit under head "15.—Irrigation" having been reached, the following motions were not put:—

**Babu MANMATHA NATH ROY:** "That the total demand of Rs. 32,14,000 under the head '15.—Irrigation' (page 23, Budget) be refused."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 32,14,000 under the head '15.—Other Revenue Expenditure financed from Ordinary Revenues' (page 23, Budget) be reduced by Re. 1."

The original demand that a sum of Rs. 32,14,000 be granted for expenditure under the head "15.—Irrigation" for other revenue expenditure financed from (*i*) ordinary revenue, and (*ii*) Famine Insurance grants (page 23, Budget) was then put and agreed to.

16.—CONSTRUCTION OF IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I move that a sum of Rs. 1,73,000 be granted for expenditure under the head "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works" (page 24, Budget).

**Babu MANMATHA NATH ROY:** I move that the demand of Rs. 1,73,000 under the head "16.—Construction of Irrigation, etc." (page 24, Budget) be refused.

I move that this demand be refused, and the principal ground on which I move this is, that it is impossible for us, having regard to the information that is placed at our disposal, to make up our mind with regard to this question. This figure is referred to in the Blue Book, I mean the Estimate, at page 46, and we find that no details are given, which is a feature not only of this but also of the other Irrigation demands. My friend Rai Harendranath Chaudhuri made the same complain with regard to demands under "15.—Irrigation" and I do

not know why it is not possible for the Government in the Irrigation Department to furnish any details as to these figures.

**The Hon'ble Mr. J. DONALD:** Take the other book.

**Babu MANMATHA NATH ROY:** I have been referred to the other book, but in the other book, at page 24, we get a lump sum of Rs. 1,55,000 for Works, but we do not know how this total amount is arrived at.

**The Hon'ble Mr. J. DONALD:** Please see the top of the next page.

**Babu MANMATHA NATH ROY:** My point is that it will appear that in all other departments we are told that so much is spent for staff, so much for officers, so much for contingencies, so much on labour, so much on materials, and so on, but it seems strange that so far as this department is concerned, as also the department on which we voted on the last occasion, absolutely no figures are furnished to us. I do not know whether any secrecy is necessary here for the maintenance of law and order.

**Mr. A. C. BANERJEE:** I should like to have certain information before I say anything on the subject. The information I ask for is this: Whether the drainage work referred to here is to be done by diverting water from rivers and canals. When I have this information I will speak on the subject.

**Mr. PRESIDENT:** I am afraid, Mr. Banerjee, you will not be allowed to speak twice. It will be better if you speak now.

**Mr. A. C. BANERJEE:** In that case, Sir, I will go on. If this drainage work is proposed to be done by diverting rivers and canals and the flushing of such drainage system is thus to be done, then I say that it would be positively harmful to the area where such drainage system is introduced. I know that Mr. Addams-Williams has a hobby for such drainage works, under whose instructions, I am sure, the Hon'ble Maharaja Bahadur of Nadia will speak. But such drainage works take away water from their natural course and thereby, not only reduce the water that flows from the rivers but also reduce the quantity of the sub-soil water. It is a fact that once you reduce the water in your canals and rivers for the purpose of irrigation you thereby not only reduce the sub-soil water but also reduce the fertility of the soil and increase malaria in such areas. This is a fact which has been scientifically established. I want to know whether such a fact is likely to happen in this case too and whether the Director of Public Health, Dr. Bentley, has been consulted in this connection.

**Rai HARENDRANATH CHAUDHURI:** I move that the demand of Rs. 1,73,000 under the head "16.—Construction of Irrigation, Navigation, etc." (page 24, Budget) be reduced by Rs. 1,00,000.

I am surprised that so much misunderstanding has arisen on this portion of the budget. Babu Manmatha Nath Roy has sought to make capital out of the fact that the expenditure on the Madaripur Bhil Route has been provided for under two heads—head 13, which is the revenue head, and head 16. My friend Mr. A. C. Banerjee has also asked for certain information from the Hon'ble Member in charge regarding the schemes under head 16. Mr. Banerjee has dwelt generally on the inadvisability of providing for any drainage work at all under head 16 or under any other irrigation head. But the fact, as I understand it, is this—of course I speak subject to correction. Only four major schemes are provided for, or rather their working expenses are provided for under head 13, and the capital expenditure on construction relating to these and other major schemes is provided for under head 16. The Madaripur Bhil Route is such a scheme. The expenditure on maintenance and repairs for this route is provided for under head 13 and, as I understand it, the capital expenditure on construction works is provided for under head 16. But what I cannot understand and for which I have tabled my motion for the reduction of a lakh of rupees from the provision for the Madaripur Bhil Route is this: On past occasions we had occasion to criticise and sometimes not without effect the repeated heavy expenditure on the Madaripur Bhil Route. But this time we see that for maintenance and repairs, one lakh of rupees has again been provided for under head 13. The necessity for this expenditure has been explained in the note on page 21. We find here that the Madaripur Bhil embankment has been badly damaged by high floods and requires extensive repairs. If so, then why hasten to provide Rs. 1,55,000 in connection with this route under head 16? The only explanation which is available will be found in Appendix A on page 78. In it we find that one lakh of rupees is required for the construction of locks and sluices and that the works in progress in connection with the same route will cost another Rs. 55,000. But I ask why the expenditure on new work—I mean the construction of sluices, etc.—cannot be postponed this year? There is no doubt that we should economise our expenditure wherever we can, although our provincial contribution has been remitted by the Government of India. If this work can be postponed we can have a lakh of rupees for more urgent schemes.

**Babu BORODA PROSAD DEY:** The question of canalization as covered by this motion is a very important question. Unfortunately our experts have very often acted in a wrong way and, as a result, we see that our rivers, which formerly used to have plenty of water in them, are now running dry. We also find that places from where water is taken away, suffer but it does not in any way improve the health of the locality to which water is taken. The effect is that the place from which water is taken and the place to which the water is taken both suffer. So in a question like this the Council should be furnished with greater

information and more details in regard to such schemes before we could be expected to agree to vote any grant. However, we know that there are experts or so-called experts in these lines of drainage canalisation. We found to our own cost that some of their projects had not done any good, and they actually caused untold expenses and have been the sources of unhealthiness and sterility of the soil. In a case like this it is only right that the Council should be furnished with proper schemes and greater details before a grant of this character could be voted.

**SECRETARY to COVERNMENT, IRRIGATION DEPARTMENT (Mr. C. Addams-Williams):** It seems to me that a certain amount of misunderstanding exists as to why this sum of Rs. 1,00,000 has been entered in the budget. This money is not required for drainage or irrigation. It is required for the purposes of keeping in good order the Kumar river, which forms a portion of the Madaripur Bhil Route. We have found after very careful examination that all the small side-khals of the Kumar river are gradually getting larger and larger, with the result that when the bhils in that vicinity are emptying, the whole, or practically the whole, of the water which should be available for flushing the Kumar river, gets away into the southern bhil through these channels. It is for this reason that quite recently Government have had to spend several lakhs of rupees in dredging this river. We propose to obtain full control of these side-channels by building sluices across them. We also propose to build locks, so that navigation may not be impeded. It is not intended to obstruct the flow in any way when the rivers are rising. When the rivers have reached their highest stage, these sluices will be closed down, so that the water in the bhils, which is clean, will be available for scouring out the Kumar river, instead of escaping through the side-channels into the southern bhil. If this work is not carried out, I shall have to come to the Council later on for a far greater sum of money for the purposes of dredging the Kumar river. It cost us between 9 and 10 lakhs last time to dredge this river, but the whole of the work now proposed will cost us not more than 6½ lakhs. This expenditure will be spread over three years. I now ask for one lakh of rupees for next year, in order to enable this work to be put in hand and to reduce the future maintenance charges of this river.

**Rai HARENDRANATH CHAUDHURI:** May I ask one or two questions? First, how much has been spent over dredging the Lower Kumar river up to this time. Secondly, why cannot this putting of sluices in the Lower Kumar river be postponed for another year, and if it is postponed, how much increased expenditure will be entailed because this postponement.

**Mr. C. ADDAMS-WILLIAMS:** I cannot answer the questions in full. The dredging of the Lower Kumar river has cost Government between 9 and 10 lakhs, as I have already said. What the cost of the dredging next year will be if these sluices are not proceeded with, it is impossible to say, because it is impossible to measure the amount of silt that is likely to be deposited in the river during next monsoon. It might cost 2 to 3 lakhs.

**Mr. A. C. BANERJEE:** I should like to have certain information. I should like to know what is meant by drainage obstruction, and I should also like to know whether the Director of Public Health, Dr. Bentley, has been consulted in this matter at all.

**Mr. C. ADDAMS-WILLIAMS:** No, Sir. The Director of Public Health has not been consulted for the simple reason that Madaripur is a non-malarious tract and it is one of the healthiest portions of Bengal in regard to malaria at least.

**Dr. MOHINI MOHAN DAS** spoke in Bengali in support of the motion.

**Dr. PRAMATHANATH BANERJEA:** In order that I may be able to make up my mind as to the attitude which I should adopt towards this question, may I ask of the Hon'ble Member a few questions? In the first place, I want to know——

**Mr. PRESIDENT:** One moment, Dr. Banerjea. I would remind you that if you desire a reply, you must be as brief as possible as the debate will be closed at 5-57 P.M.

**Dr. PRAMATHANATH BANERJEA:** I shall finish in a minute. In the first place, I want to know what was the original estimate of expenditure on the Madaripur Bhil Route and the Lower Kumar river; secondly, what is the amount that has actually been spent; and thirdly, what is the annual return on the money that has already been spent.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I shall begin by replying to the last speaker first. My friend Dr. Pramathanath Banerjea had enough time to send in his questions. I am afraid I cannot in so short a time give an answer to his questions because I shall have to look up the papers, and if the hon'ble member will come to me in the Secretariat I shall give him the information as far as possible.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Very very kind of you.

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** Regarding Babu Manmatha Nath Roy's objections, I am

afraid he has not seen this book, because if he had referred to page 24 of the grey book he would have found the answers to his questions. For the information of the House I will read out the details:—

| | Rs. |
|---|---|
| Locks and sluices on the Madaripur Bhil Route and the Lower Kumar river ... | 1,00,000 |
| Two sidings ditto. ... | 40,000 |
| Dredging for compensation ... | 15,000 |
| Departmental charges for establishment, etc. ... | 18,000 |
| | 1,73,000 |

The other items have been dealt with by Mr. C. Addams-Williams and I have very little to add to what he has said.

Regarding the paucity of information supplied to hon'ble members as complained to me by my friend Rai Harendranath Chaudhuri, I should like to point out that this year the Financial Statement has been expanded in order to explain in greater detail the system under which the accounts are kept, but I understand that more detailed information is asked for. I wish to say that I sympathise with hon'ble members who find difficulty in understanding these matters, but I wish to point out that in my speech during the general discussion on the budget I stated that I and the Secretary would be very glad to explain the details to any member of the Council if he would come to see us. No member has taken advantage of this opportunity and it is therefore difficult for me to understand exactly what is asked for.

If therefore the hon'ble member will come to me and let me know definitely what he wants, I shall be very glad to discuss the question with my colleague, the Hon'ble Mr Donald, and try to meet his wishes as far as possible.

**Rai HARENDRANATH CHAUDHURI:** May I rise to a point of order? Is the Hon'ble Member in charge competent to give a reply to a motion which was not at all moved?

**Mr. PRESIDENT:** Which is the motion you are referring to?

**Rai HARENDRANATH CHAUDHURI:** The Hon'ble Member has read his reply to my motion which has not been moved at all.

**Babu MANMATHA NATH ROY:** On a point of personal explanation, Sir——

**Mr. PRESIDENT:** I am afraid you will have to defer your personal explanation. The time is up and you must settle your difficulty in the lobby in conversation with the Hon'ble Member.

The motion of Babu Manmatha Nath Roy was then put and lost.

The motion of Rai Harendranath Chaudhuri was put and a division was taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Nan'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Farequi, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Malik, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Srie Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.

| | |
|---|---|
| Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia. | Skinner, Mr. S. A. |
| Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh. | Stephenson, the Hon'ble Sir Hugh. |
| Roy, Mr. Tarit Bhusan. | Swan, Mr. J. A. L. |
| Roy, Raja Manilall Singh. | Travers, Mr. W. L. |
| Salam, Khan Bahadur Maulvi Abdus. | Villiers, Mr. E. |
| Sarkar, Maulvi Allah Bukhsh. | Wilson, Lt.-Col. R. P. |
| | Woodhead, Mr. J. A. |

The Ayes being 52 and the Noes 72, the motion was lost.

The original demand that a sum of Rs. 1,73,000 be granted for expenditure under the head "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works" (page 24, Budget) was then put and agreed to.

22.—General Administration.

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** I move that a sum of Rs. 96,17,800 be granted for expenditure under the head "22.—General Administration" (page 47, Civil Estimate).

In moving this demand I wish to make a very few remarks on two parts of this General Administration demand which particularly concern me. The first is with regard to the Ministers' salary. Demand has been made for the salaries of two Ministers at the rate at which their salary was originally fixed by Lord Ronaldshay and which has been maintained ever since by the Council. The House is aware that there has been a good deal of confusion and confused issues with regard to the question of Ministers and Ministry. With the help of various parties in this House, Government put before the Council on the 17th February a clear issue and the Council gave its decision. What Government now wish to do is to put before the Council three clear issues. Firstly, does the Council maintain its decision of February 17th that it wants Ministers; secondly, what salary does the Council think, is suitable for its Ministers; and thirdly, has the Council confidence in its present Ministers. In order, therefore, to be able to give the Council an opportunity of voting on a clear issue on every one of these three points, Government have had to adopt and suggest to the Council certain conventions. Government suggest on the first point whether the Council does want a Ministry—that if the Council does not want a Ministry it will pass any one of the motions for reduction which will reduce the salary below a certain point. In order to get that clear issue we have to take a fixed point. It may be argued that a Ministry with one rupee less salary may be equally feasible, but in order to get this convention we have to take a definite point. There is no question of our saying to the Council that you must not give your Ministers less than this or that. The point that we want to make is that we desire to give the Council an opportunity on a clear-cut issue for a decision as

to whether they want Ministers or not; in order to do that we took the salary of Rs. 3,000——

**Rai HARENDRANATH CHAUDHURI:** Arbitrarily?

**The Hon'ble Sir HUGH STEPHENSON:** Arbitrarily. (Hear, hear.) The reason why we adopted this figure and not Rs. 2,500 or Rs. 2,999 or any other figure, was that Rs. 3,000 was the sum which the Council had deliberately assigned for the salary of its new President, and it seemed to Government reasonable to assume that if the Council wanted Ministers it would not be willing to pay them a sum less than it proposed to pay to its new President. It also seemed to Government that it would be difficult for the Governor to obtain suitable persons as Ministers on a salary less than that of the President.

**Maulvi MD. NURUL HUQ CHAUDHURY:** They may work without salary.

**The Hon'ble Sir HUGH STEPHENSON:** Therefore the figure of Rs. 3,000 was taken. There are certain members who have seized upon that figure, and motions for reduction have been tabled——

**Kumar SHIB SHEKHARESWAR RAY:** On a point of order. Can the Hon'ble Member refer to amendments in his opening speech? I think under the rules he cannot.

**Mr. PRESIDENT:** In opening the debate on general administration I think he can deal with its different branches. He is now moving the Generad Administration grant and in doing so he can take and discuss each item of the grant.

**Kumar SHIB SHEKHARESWAR RAY:** I think I should make my point of order clear. The Hon'ble Member had been referring to the amendments regarding cuts, which under the rules he cannot.

**Mr. PRESIDENT:** What rule do you rely upon?

**Kumar SHIB SHEKHARESWAR RAY:** I cannot quote the rule at once. I have been 10 years in this Council and I can assure you, Sir, that there is a ruling that in an opening speech no member can refer to any subsequent motions on the agenda paper.

**Mr. PRESIDENT:** I am quite aware that no one in this Council knows the rules and orders better than you do, but I think that in spite of the precedent you mention, you have been misled with regard to this matter. The Hon'ble Member is moving the "general" grant of Rs. 96,27,800 under General Administration and in so doing he is perfectly entitled to discuss the various heads of which the grant is made up.

[The Kumar Shib Shekhareswar Ray was at this stage seen talking to another member.]

**Mr. PRESIDENT:** Do you intend to respect the authority of the Chair or not? I twice asked that I should not be interrupted, but I was not listened to. You must realize that proper order must be preserved when the President speaks.

**Kumar SHIB SHEKHARESWAR RAY:** I should like to make a personal explanation, Sir. I did not mean any offence. I think it has been the practice in this Council that even when the President is addressing, members could speak to one another, and that is exactly what has been done in the present case. I am afraid I have been censured without any fault on my part.

**Mr. PRESIDENT:** I think, Kumar Sahib, you must be well aware that when the President is on his feet, silence is observed and no conversation takes place between members.

**Rai HARENDRANATH CHAUDHURI:** May I rise on a point of order? There is a precedent in this Council that on a previous occasion when moving the demand for Ministers' salary, Sir Henry Wheeler referred to the amendments in advance before the amendments were moved; he was held up at the time and was not allowed to refer to them.

**Mr. PRESIDENT:** I am not aware of that ruling. I should be very glad if you would find it for me.

**Rai HARENDRANATH CHAUDHURI:** Yes, I will.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

**Mr. PRESIDENT:** Harendra Babu, have you anything that you would like to put before me with regard to the matter you raised before the adjournment?

**Rai HARENDRANATH CHAUDHURI:** No, Sir, not now.

**Mr. PRESIDENT:** I think I had better reply to the point of order. Rai Harendranath Chaudhuri was good enough during the adjournment to call my attention to page 410 of Volume VII of the Bengal Legislative Council Proceedings. What I find there is this. Sir Henry Wheeler moved that a certain sum be granted for the salaries of the Ministers, and he went on to say that there were several amendments on the paper, or rather he endeavoured to make mention of them, whereupon the Kumar Sahib rose to a point of order, and said: "Is Rai Harendranath Chaudhuri's motion before the House now? Has the Hon'ble Member any right to refer to it now?" I cannot find

that there was any ruling given by the President with regard to that point of order. It seems to have gone unnoticed. But Sir Henry Wheeler observed that he had no desire to discuss the amendments and merely enumerated them. So far I have not heard from the Hon'ble Sir Hugh Stephenson any suggestion that he was going to discuss the amendments, but he too was simply enumerating them. What I understood him to say was that he proposed to state the Government views with regard to the amendments that have been tabled and that is very different from discussing the amendments. Is there anything else that you would desire to put before me?

**Kumar SHIB SHEKHARESWAR RAY:** There have been several instances, but I do not remember them now.

**Mr. PRESIDENT:** There is no ruling to my knowledge.

**Kumar SHIB SHEKHARESWAR RAY:** There are several others which I cannot find just now. But the thing is, when you give a ruling, we will all obey it.

**Mr. PRESIDENT:** The only ruling that I am prepared to give is this: I shall not now allow the Hon'ble Member to go into the merits of any of these amendments. But I do not see how I can shut him out from referring to the amendments or enumerating them. I think he is also in order in stating what view the Government is prepared to take with regard to these amendments. He has stated those views and he was trying to present the Council with a clear perception of what the different issues were. If he tries to discuss any of the amendments, I shall certainly stop him at once.

**Babu AKHIL CHANDRA DATTA:** The line of demarcation between enumeration and discussion is very difficult to find.

**Mr. PRESIDENT:** It is not so difficult as you think, because you can enumerate the amendments without in any way discussing them. A discussion takes place when two people are engaged in it.

**Mr. J. M. SEN GUPTA:** It cannot be, Sir, at the same time.

**Mr. PRESIDENT:** Of course not.

**Mr. N. C. SEN:** If the Government views are expressed, they must involve in the process an implied discussion on the subject. Would that be in order, Sir?

**Mr. PRESIDENT:** No., of course not. There can be no discussion on these matters at the present moment. What the Hon'ble Member is doing is: he is moving for a grant for the whole subject of the general administration: and in doing so, as I have said, he is entitled to refer to these amendments and to state what the Government view

is with regard to them. There can be no discussion on that part of his speech, or in fact his speech, until we come to the end of the whole of the amendments; and of course on every amendment that is moved with regard to the Ministers' salaries, any member who has tabled an amendment on the subject may say that he does not accept the Government view with regard to the amendment. But we cannot have a discussion now.

**Mr. A. C. BANERJEE:** Will it not be a discussion if we say that two and two make four, and the Government say two and two make nine? That is really going into the merits of the case.

**Mr. PRESIDENT:** Not at all, Mr. Banerjee. You may put in your amendment with a certain object in view and the Government are perfectly entitled to say: "We interpret the amendment in the following way." That is not discussing it in any way, but stating what view the Government have in that matter. If a member were moving a non-official resolution to which a number of amendments had been tabled, the member when moving the resolution would be perfectly entitled to say that he regarded the particular amendment to his resolution as capable of a certain meaning. When the amendments come to be moved, the movers are at liberty to say that the interpretation given to the amendments are entirely wrong.

**Mr. S. N. HALDAR:** Is the Hon'ble Member entitled to criticise the different amendments?

**Mr. PRESIDENT:** No, and so far he has not done so.

**Mr. H. S. SUHRAWARDY:** Are we not under the protection of the Act? Is the Hon'ble Member entitled to move a motion which is against the Act? The Hon'ble Member when moving says that even though the Council may want Ministers, if it votes a salary less than Rs. 3,000 a month, he will take it that the Council does not want Ministers. The Act says that the Ministers shall receive such salary as the Council shall vote for them; and under the Act the Council may vote a salary less than Rs. 3,000. What right have the Government to state that if the Council votes a salary less than Rs. 3,000, it will be tantamount to a statement that the Council does not want Ministers? (Hear, hear.) I say it is not only against the spirit of the Act but against the wording of the Act itself; and I think the Hon'ble Member, although he may be so advised by higher personages, is still in error and cannot make such a statement.

**Mr. PRESIDENT:** Mr Suhrawardy, this is quite a different point of order, but it can also be easily dealt with. The Council are at perfect liberty to vote a salary of 4 annas for each Minister, but the Government are equally at liberty to interpret that as meaning that

the Council do not want Ministers. The interpretation of a resolution is very different from the right to move it; and if any member does not agree with the interpretation, the remedy is open to him. But there must be no confusion between the two things. The Council are, in spite of what the Government may say with regard to fixing a limit, perfectly entitled to disregard that limitation, if they so wish; but they cannot force the Government to accept their interpretation of it.

**Maulvi MD. NURUL HUQ CHAUDHURY:** The Majority Report on the Reforms Enquiry, or the Muddiman Report, was out a day——

**Mr. PRESIDENT:** You cannot go into that.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Have the Government taken the sum of Rs 3,000, which is equal to three-fifths of the salary of a Member of Council from the Committee's Report, which has not yet been accepted?

**Mr. PRESIDENT:** That is a point I cannot answer.

**Babu BORODA PROSAD DEY:** The Hon'ble Member is referring to amendments, some of which may not be moved at all. If that is so, is it not proper that the Hon'ble Member should not take up the time of the Council by referring to things which may not come into existence?

**Mr. PRESIDENT:** Boroda Babu, the unhappy thing is that all these amendments are in existence. Whether they are going to be slaughtered or not, is another question. The amendments are on the paper and they are very much alive. The Hon'ble Member is perfectly entitled to refer to them so long as they are on the paper. Members who have tabled amendments may certainly kill them by not moving them, but we do not know anything about that. While they are on the paper, they are very much alive, and they can be referred to because they are on the paper. If Boroda Babu prefers, they may be described as half-alive. Anyhow they are on the paper, and for all that I know they are going to be moved. I cannot take them off the paper and I cannot prevent the Hon'ble Member from referring to them, because somebody may think they will not be moved.

**Babu BORODA PROSAD DEY:** What we understand is that when an amendment is moved, it is then a matter which the House can consider and not before it is moved.

**Mr. PRESIDENT:** The House will have to consider a very long list of amendments. The member is technically correct in saying that

until an amendment is moved, it does not become operative. The amendment is on the paper and it may or may not be moved.

**Mr. J. M. SEN GUPTA:** I want to know your opinion, Sir, whether if on the basis of the interpretation of an amendment which has not yet been moved, the Hon'ble Member goes on saying something, would that not be a discussion on the amendment?

**Mr. PRESIDENT:** It all depends on what you mean by interpretation.

**Mr. J. M. SEN GUPTA:** I mean this: the Hon'ble Sir Hugh Stephenson says, "If this amendment is carried, I will put, on behalf of Government, this interpretation" I say, that is a discussion, and I ask whether that discussion would be permitted.

**Mr. PRESIDENT:** I do not think it can be called a discussion; it is a statement of the views of the Government on the amendments that appear on the paper. The Council are perfectly entitled to disregard the view of Government, but the Government is entitled to state its view

**Mr. J. M. SEN GUPTA:** Would it be permitted to the Hon'ble Member to give interpretation to amendments which have not yet been moved and to say this is the view Government take and they will do this or that? It is practically a discussion, pure and simple.

**Mr. PRESIDENT:** So far as I know, the Hon'ble Member has only been developing his point and has done no more than was done by Sir Henry Wheeler in 1922. He has given no interpretation but expressed the views of Government. We are simply following the previous practice.

**The Hon'ble Sir HUGH STEPHENSON:** After this very lengthy discussion as to what I was going to say, the House has probably forgotten what I did say. I have almost forgotten it myself. I can only say that I have no intention to undertake and I am the last person to wish for two discussions of any of the motions. If I have got to discuss them later on, I shall certainly not discuss them now. What I was trying to convey to the House was that Government was giving to the House an opportunity to come to a clear-cut decision on three separate points. The first is whether the House wishes to have Ministers. For this purpose the Government have taken the conventional figure of Rs. 3,000 and I wish the House to understand what the Government will do—not what the Government will think—if any of the motions reducing the salary of each Minister is carried——

**Mr. J. M. SEN GUPTA:** On a point of order, Sir. I understood Sir Hugh Stephenson to say what the Government would do if any

motion reducing the salary of the Ministers below Rs. 3,000 is carried. He said "what the Government will do." I submit that Government have got nothing to do with it. It is His Excellency the Governor's function and not the Government's.

**Mr. PRESIDENT:** I do not know yet what is in Sir Hugh Stephenson's mind. Let him proceed and we shall know.

**The Hon'ble Sir HUGH STEPHENSON:** As His Excellency the Governor has already stated, he will apply in that case to the Government of India to take certain steps. If the House passes the motion for the reduction of the Ministers' salaries to a figure below Rs. 3,000 it will be a clear-cut issue. The second issue is—what should be the rate of salary of the Ministers? In this connection the House may pass whatever motion it thinks fit fixing a salary between the present maximum and the proposed limit. The third point is whether the House approves of or has confidence in the present Ministers. I am authorized to state that the Ministers will resign if the House passes any motion reducing their salary by a token amount.

Then, Sir, I would say a word about Council Secretaries. Council Secretaries are entirely new to the Council, and although resolutions urging their appointment have been put on the agenda on many occasions during the last three years, none of them has ever reached discussion. His Excellency is not yet in a position to know the mind of the House on the point. The appointment of Council Secretaries rests entirely with His Excellency and their salary with the Council. His Excellency has already announced that he proposes to give the Ministers assistance by means of Council Secretaries, and I wish to explain to the House why the salary of Rs. 2,000 has been put down for Council Secretaries——

**Mr. J. M. SEN GUPTA:** On a point of order, Sir. Is the Hon'ble Member entitled to include in his demand the salaries of Council Secretaries who have not yet been appointed by His Excellency? You will remember that in case of the Ministers, their salaries could not be demanded until they were appointed. In the same way, I think, the Council Secretaries have first got to be appointed before their salaries could be demanded.

**Mr. PRESIDENT:** Perhaps we shall hear something from Sir Hugh Stephenson on the point presently.

**The Hon'ble Sir HUGH STEPHENSON:** I submit, Sir, it is not a point of order.

**Mr. PRESIDENT:** What is your point, Mr. Sen Gupta? Which section do you rely on?

**Mr. J. M. SEN GUPTA:** Section 80B of the Government of India Act.

**Mr. PRESIDENT:** I am afraid the section you refer to has nothing to do with the matter.

**The Hon'ble Sir HUGH STEPHENSON:** I think it will assist the House if I went on with my speech while my hon'ble friends are looking through the Act.

**Mr. PRESIDENT:** Yes, Mr. Sen Gupta, you can raise your point of order later on after looking through the Manual.

**Kumar SHIB SHEKHARESWAR RAY:** On a point of order, Sir. I would refer you to section 52 (*4*) of the Government of India Act. There it is laid down that "there shall be paid to Council Secretaries so appointed such salary as may be provided by a vote of the Legislative Council." I submit that unless the Secretaries are appointed there can be no demand for their salary. The thing is quite clear, Sir.

**Mr. J. M. SEN GUPTA:** May I also refer you to sub-clause (*1*) of that section? Here it is said: "There may be paid to any Minister so appointed . etc" So unless you appoint the Ministers you cannot demand their salary. It is the same with Council Secretaries.

**Mr. PRESIDENT:** We have not come to the demand yet.

**Mr. J. M. SEN GUPTA:** What I submit is this: This demand is out of order unless the demand for the salaries of Council Secretaries, which is included in it, is excluded, because the Council Secretaries have not yet been appointed

**The Hon'ble Sir HUGH STEPHENSON:** May I point out to Mr. Sen Gupta that sub-clause (*4*) says "there shall be paid, etc."? I am not asking you to pay now.

**Babu DEBI PROSAD KHAITAN:** Is it not a fact that the payments referred to in the budget take effect from the 1st of April and not at a period before the 31st of March?

**Mr. PRESIDENT:** This clause with regard to Council Secretaries simply lays down that the Council Secretaries shall be paid such salary as may be provided by the Council. I do not find anywhere that no demand can be put into the budget unless they are appointed first. For all we know, the Council Secretaries may not take office before the 1st of April. In any case, no money can be paid to them until that date.

**The Hon'ble Mr. J. DONALD:** The whole of the budget refers to posts and appointments and not to individuals.

**Mr. PRESIDENT:** Yes, there is no question of individuals here. What the section does is to give power to the Council to fix the salaries of Council Secretaries. It nowhere says that a demand for their salaries cannot be made unless they are appointed. You must make a beginning somewhere. In the present instance, a demand is put on the paper in order to give the Council an opportunity to express an opinion as to whether they want Council Secretaries or not. In any case, it is not the intention to pay the Council Secretaries from to-day.

**Mr. J. M. SEN GUPTA:** I would draw your attention to the two parts of the section—sub-clause (*1*) and sub-clause (*4*). The first part deals with the salaries of Ministers and the second part with those of the Council Secretaries. If your decision—which I hope you have not yet given—is that the demand for salaries of the Council Secretaries before their appointment is in order, then it would equally apply to sub-clause (*1*), which deals with the salaries of Ministers. As far as I can judge, you stated some time ago that so far as the——

**The Hon'ble Sir HUGH STEPHENSON:** On a point of order, Sir. Is Mr. Sen Gupta raising a point of order or is he discussing a subsequent motion?

**Mr. J. M. SEN GUPTA:** I am stating my point of order. I submit that both sub-clause (*1*) and sub-clause (*4*), as drafted, are the same. If you give your decision with regard to sub-clause (*1*) that the Ministers cannot have their salaries passed before they are actually appointed, I submit on the same analogy that sub-clause (*4*), which deals with the salaries of Council Secretaries, should also be interpreted in the same way.

**Mr. PRESIDENT:** I am obliged to differ from you as to the phraseology of the two sub-clauses. The difference between them is very marked. With regard to Ministers, it is laid down that immediately a Minister is appointed there shall be paid to him the same salary as is payable to a Member of the Executive Council unless the Legislative Council voted a smaller salary. There is nothing whatever in the sub-clause to indicate that the Legislative Council must vote a salary before he can be appointed. All it says is that when appointed, unless the Council decides otherwise, he will get the same salary as is payable to an Executive Member. As regards Council Secretaries, sub-clause (*4*) says that "there shall be paid to Council Secretaries so appointed such salary as may be provided by a vote of the Legislative Council." That means that the Council Secretaries' salary is solely determined by a vote of the Legislative Council. All it indicates is that the Council Secretaries so appointed shall be paid.

**Maulvi MD. NURUL HUQ CHAUDHURY:** As you said before, the Council Secretaries will not be paid before the 1st of April. Will it be the same in the case of Ministers or the reverse?

**Mr. PRESIDENT:** That I do not know. There is no money at the present moment provided for the Ministers' salary. So far as I understand, their salary must take effect from the 1st of April.

**Mr. A. C. BANERJEE:** Do not the words "so appointed" presuppose the appointment before we can decide the question of payment to them?

**Mr. PRESIDENT:** No, Mr Banerjee, I do not take that view.

**Mr. K. C. RAY CHAUDHURI:** May not the words "so appointed" be taken to mean "to be so appointed"?

**Mr. PRESIDENT:** No.

**Mr. A. C. BANERJEE:** Is my friend, Mr. Ray Chaudhuri, in order in trying to outherod Herod himself?

**Mr. PRESIDENT:** I should like the Council to appreciate that all these matters that are being discussed are not points of order but are points of legal interpretation. I am afraid there are so many members of the legal profession here that there will be no end of legal interpretations.

**The Hon'ble Sir HUGH STEPHENSON:** Since so many members of this House seem to want to hear their own voices, I feel somewhat diffident in inflicting on them my speech. But what I was about to explain was why Government have put down in the budget the figure of Rs. 2,000 for the pay of Council Secretaries. As those who have studied the question of Council Secretaries no doubt know, there have been in the past very many different views of what the scope and duties of the Council Secretary ought to be. The amount of Rs. 2,000 has been put down in order to give the Council an indication of the kind of Council Secretary that the Governor has in his mind. He would be a whole-time officer corresponding roughly to a Parliamentary Under-Secretary at Home. If the Council do not agree that such a man is required or desirable, they can show their disagreement either by refusing the salary or by reducing it to a figure which will indicate that they require not a whole-time man but a part-time man, more of the nature of a Parliamentary Private Secretary. As I have said, the Council have been given an opportunity of putting their views before the Governor on this point of Council Secretaries, and the Governor will be glad to know what their views are.

Then, Sir, the other point to which I wish to make a reference is with regard to the demand for the staff and household of His Excellency the Governor. I would ask the House to remember that this demand is not a demand made personally by His Excellency for his personal relief or personal comfort. There are two things which I hope the House will bear in mind. Firstly, there is a recognised standard of dignity settled not by His Excellency the Governor or other Governors, but by the Government of India and the Secretary of State and ultimately by Parliament, and the three major provinces have the same standard of dignity. That has nothing whatever to do with the personality of the Governor, and I would ask the House to think it over carefully before deciding that Bengal shall have a lower standard of dignity than the other two major provinces. The other thing that I would ask the House to remember is that a great many of these provisions are of the nature of a contract.

**Maulvi MD. NURUL HUQ CHAUDHURY:** With whom?

**Mr. PRESIDENT:** Order, order. There are several amendments on the paper and you can very well ask that question to-morrow.

**The Hon'ble Sir HUGH STEPHENSON:** The Governor is appointed on a certain salary with certain things paid for for him and these are of the nature of a contract, and there again it is not a personal question at all. The whole of these grants forms part of the salary which the Government of India and the Secretary of State have fixed for a Governor, and therefore in bringing these amendments I trust the House——

**Babu AKHIL CHANDRA DATTA:** On a point of order, Sir. It is again a discussion on a motion pure and simple.

**Mr. PRESIDENT:** I do not think it is.

**Mr. S. N. HALDAR:** Is not going into the merits of a question a discussion?

**The Hon'ble Sir HUGH STEPHENSON:** I am almost inclined to begin all over again. But I think, Sir, that the House has realized what my point is—that these motions, although they may be brought forward with a view to expressing the opinion of the House, have no reference whatever to any personal question.

## Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 20th March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 20th March, 1925.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh (Minister), and 102 nominated and elected members

### Death of Khan Bahadur Maulvi Md. Choinuddin.

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** Order, order. The House, I am sure, will learn with very deep regret that news has been received of the death this morning of one of the members of this Council, Khan Bahadur Maulvi Md. Choinuddin. The Khan Bahadur had been a member of this Council since the election in 1923 and represented the Rajshahi North (Muhammadan) Constituency. He had previously been in the service of Government, which he joined in the year 1892 at the age of 20. In 1921, he became Assistant Secretary in the Department of Agriculture and Industries, and acted as Secretary in that Department for a short time. He retired from service in 1923 just previous to his election as a member of the Council. The Khan Bahadur was a man of strong opinions and he was not afraid of expressing them. But in my experience I have never found that the expression of strong opinions has militated in any way as far as the respect and affection of his fellow-members were concerned. We all liked the Khan Bahadur, and I am sure we all deeply mourn that he should have been cut off at the comparatively early age of 53. I do not think that such an incident has previously occurred as the death of a member of the Council while the Council is actually sitting, and I propose, with the approval of His Excellency, to mark our sense of regret by adjourning the Council till 10-30 A.M. to-morrow.

### Adjournment.

The Council was then adjourned till 10-30 A.M. on Saturday, the 21st March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 21st March, 1925, at 10-30 A.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers and 127 nominated and elected members.

### Starred Questions

### (to which oral answers were given.)

### Babus Anilbaran Ray and Satyendra Chandra Mitra.

***XLVIII. Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether the two members of this Council Babus Anilbaran Ray and Satyendra Chandra Mitra, who are now detained in prison, are themselves willing to attend meetings of the Council, but they are not permitted by the Government to do so;

(*ii*) whether it is a fact that prisoners who are ordinary convicts are permitted to appear as witnesses in Courts if required; and

(*iii*) whether the Government consider it detrimental to the public interest to permit these two members to attend Council meetings under proper arrangements?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble the Member be pleased to state the reasons?

(*c*) Is the Hon'ble the Member aware that the general belief is that the two members named are detained in prison during Council sittings with a view to diminish the voting strength of the party to which they belong?

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*a*) (*i*) They are understood to be willing to attend, but they are unable to attend owing to the orders passed upon

them under section 12 (*1*) of the Bengal Criminal Law Amendment Ordinance, 1924.

(*ii*) Yes, if summoned by a competent court.

(*iii*) and (*b*) Government have considered it necessary to place them under restraint and their attendance in Council would be incompatible with that restraint.

(*c*) No.

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** Does the Government consider it proper in the interest of the constituency that the constituencies represented by these two members should remain unrepresented for any indefinite time?

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** That is a question of opinion. The Council can draw their own conclusions

**Supply of speeches to newspapers in England.**

***XLIX. Dr. BIDHAN CHANDRA ROY:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that copies of speeches delivered by the Members of Government in the Bengal Legislative Council are supplied by the Secretariat to the newspapers in England?

(*b*) What are the papers to which such speeches or communications were sent in the years 1923, 1924 and 1925?

(*c*) Under whose direction are these speeches and communications sent to England?

(*d*) To what heads of expenditure is the cost on this account debited?

(*e*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the amount spent on this account during the last three years?

**The Hon'ble Sir HUGH STEPHENSON:** (*a*) and (*b*) Copies of my speech on the Criminal Law Amendment Bill were sent to the *Times*, *Daily Telegraph*, *Morning Post* and *Manchester Guardian* this year. As far as I know no copies of speeches were sent in 1923 and 1924.

(*c*), (*d*) and (*e*) They were sent by the Chief Secretary with my consent, and the postage charges were incurred as a part of his office expenditure. The cost was probably about one rupee.

**Kumar SHIB SHEKHARESWAR RAY:** May I inquire whether only the Hon'ble Member's speeches were selected for being sent to the *Times* and other papers in England, and not the speeches of other members?

**The Hon'ble Sir HUGH STEPHENSON:** Because I thought that my speech would interest those papers. If other members thought their speeches would equally interest them, I have, no doubt, they would have sent them.

**Dr. BIDHAN CHANDRA ROY:** Would the Government pay the postage for sending the speeches of other members? If so, we will do it in future.

## Budget of the Government of Bengal for 1925-26.

### Demands for Grants.

22.—GENERAL ADMINISTRATION.

The discussion of the demands for grants was then resumed.

**Mr. J. M. SEN GUPTA:** On a point of order, may I ask what time has already been taken over this item "22.—General Administration"? His Excellency allotted 7½ hours for the discussion of this item. How many hours are we going to sit to-day and how long would we take to finish it on Monday?

**Mr. PRESIDENT:** We shall sit up to one o'clock to-day and resume on Monday at three o'clock. I understand that we have already spent one hour and 4 minutes on this item; we therefore have 6 hours and 26 minutes more.

**Mr. KIRAN SANKAR ROY:** I beg to move that the demand of Rs. 3,000 under the head "22A.—Staff and Household of the Governor—Private Secretary—Hill and Dacca Allowances" be refused.

In moving this amendment I do not want to make a long speech. Motions of this nature have been discussed by this Council last year, and I believe it was also discussed by the previous Council, and, as usual, the Government has treated all such motions with contempt. I move this motion because we know that it is no use appealing to the reason of the Members of Government, and because we are convinced of that we have adopted a policy which is called a policy of obstruction. But I want to address a few words to the members of the House sitting opposite. We wonder what the members of the other side of the House, the members of the other party, have to say about this Budget. I am not meaning my friends the Independents, but what about the friends of the great Liberal Party recently rejuvenated and determined to revive dyarchy—men who have the monopoly of the sanity of the House. I want to know whether they have got any policy towards this Budget. If we look through the list of motions, we find that not a single motion

has been given notice of by any member on the opposite side of the House. (Question, question.) I hope that by voting on the motions which will come before the House to-day and the following days regarding this Budget they will make their position clear not only to the people of this country but also to themselves.

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** I desire to make a few observations in support of the motion which is now before the House. If I am not mistaken this question of hill allowance has been over and over again discussed not only in this Council, but also outside by persons who have all along held very moderate views, indeed long before the advent of the Swarajists. Although this motion refers to an item of Rs. 3,000, I support it not because of the amount but on principle, that is to say, that we as tax-payers want to raise our voice against this practice of granting allowances to officers of Government during their stay on the hills. This amount, no doubt refers, to the hill allowance of the Private Secretary. But as I have said this is a matter which involves certain principles and my point is that my colleagues in this House would be pleased to consider whether we would be doing our duty to our constituencies if we were to allow grants of this nature which by no means benefit the tax-payers in general, but are intended only for the pleasure trips of the officers who are in charge of the administration.

**Maulvi ABDUL GAFUR:** I rise to support this motion. This motion was also discussed last year. The object of moving this motion is quite clear; it is because Bengal cannot afford to pay such amounts for luxury. Is not staying on the hills a luxury? Is Bengal in a position to pay for this? Bengal is no more the Bengal of the Moghul days. The present Bengal, the children of which have lost their health and are not able to regain it for want of money, cannot pay this amount to enable His Excellency's staff to stay at Darjeeling; and if we pay this amount, will it not be an act of cruelty done to the children of the soil? I submit that His Excellency should forego such pleasure. Sir Provash Chunder Mitter said the other day that this question is not looked upon as such by the other party, but that is a difference in the angle of vision. It is a pity that, although this question has been discussed times without number on this very floor of the House, Government have not cared to pay any heed to it at all. It has embittered the feelings of Bengal, and I trust the whole House will support this motion for refusal. In these days when we are in so much need of money for nation-building purposes His Excellency should show some sympathy towards us, otherwise people will think that their interest is not looked after by him. Therefore, my submission to the House is that everyone should join us in throwing out this demand for hill allowance.

**Babu BEJOY KRISHNA BOSE:** I want to correct a mistake in the speeches of my friends who have preceded me when they said that this subject was discussed last year. As a matter of fact, notices of motions were given on this subject, but they were not put last year but withdrawn. Anyway, there is no reason why we should not bring this motion forward again this year. I am told by my friend, Dr. Pramathanath Banerjea, who was in Council year before last, that it was brought up then.

This is a motion relating to the hill and Dacca allowances of the Private Secretary to the Governor as included in his staff and household. I want to make it quite clear to the House and to the Hon'ble Sir Hugh Stephenson that in my endeavour to interfere with the staff and household, I have not the remotest idea of interfering with the personal comforts of His Excellency or to cause him the least inconvenience. My attitude with regard to all the motions relating to different items as included in the staff and household of the Governor is actuated by a single desire to prominently bring to the notice of the Head of the Government the manifold grievances which we suffer from. Our demands should be granted before we vote the supplies. It has been said by Sir Hugh Stephenson that these are items for which contracts have previously been made presumably between the Government of India and the Secretary of State, but as two such august parties are making contract with reference to the properties which primarily do not belong to them but to us, the rate-payers of the province, we should certainly have a voice in the matter. It may be said that they stand in the relation of trustees to the Indian people, and, therefore, their contract is valid and binding. But even the trustees are not immune from the operation of law and their doings can be questioned in ordinary courts. Though there are no courts before which contracts of this nature can be called in question, there is a court of Eternal Justice and Equity and good conscience to which we may appeal to set things right. The nation dwells in the cottage. It groans under the burden of a top-heavy administration. Hundreds die every hour through preventable diseases. Want and privation drive a large number to desperation. An administration is judged not by luxury which its highly-paid officers enjoy but by the remedial measures taken to ameliorate the condition of the masses over which it reigns. A Budget to be popular ought to be made the Nation's Budget. If the money provided for meeting the expenses of liberal allowances in the shape of hill and other allowances to the staff surrounding His Excellency, to renewal of carpets and furniture, curtains and covers, and other equipments, to bands and body-guards, are much larger than what is provided for in combating malaria and kala-azar and for rural water-supply, surely then it is not a Nation's Budget but the Ruler's Budget to meet the comforts of the Rulers and those that surround them.

Coming to the question of the hill and Dacca allowances, I should like to know on what principle they are allotted. I can understand travelling allowances, but why should allowances be given for staying at Darjeeling and Dacca instead of at Calcutta. Is living dearer at the former places? Do the staff suffer inconveniences and discomforts while they live at those places? I was all along under the impression that in the hills the staff enjoy salubrious climate, live in comfort and improve their health. This subject drew the attention of the late Prime Minister of England, Mr. Ramsay Macdonald, when he was in India. You may as well grant allowances to the members of the British Cabinet to enable them to go to Monte Carlo to avoid the London winter-fog. Should we give them allowances so that they may inhale more ozone and live under happier surroundings? Why not then give liberal allowances to the Hon'ble Judges of the High Court and hundreds of other Executive and other officers who rot and sweat in the plains and perform their duties under the scorching heat of a tropical sun? The question of exodus to the hills is as old as the hills themselves. It had been condemned before by Europeans and Indians alike but by none more vehemently than the late Minister, Sir Surendra Nath Banerjea, when these very walls resounded with his voice amidst thundering applause. Nearly 40 years have gone by since then and in this so-called age of democracy, we are not only perpetuating the said exodus but granting allowances for the same. It is an iniquitous demand and the House ought not to grant it.

**Babu UMES CHANDRA CHATTERJEE:** I rise to make an eleventh hour appeal to my beloved Bengali brothers of this House on behalf of the socket-eyed, careworn, diseased, illiterate, ill-fed, ill-clad people who reside in the villages who have sent them and me to find relief for them in and through this Council. I ask them and myself, what have they and I done for them during these few days. Will the merry chit-chat, the brisk passages at arms and one-rupee cut motions do any good to them? One-rupee cut motions are powerful antidotes against Government in free countries. Do they not make us, who are slaves, a laughing stock in the eyes of free nations? Are we entitled to preach the gospel of responsive co-operation? We are non-venomous snakes. Who will care for our fangs? Are we not slaves, how high our position in life may be? Can a slave urge responsive co-operation against his free master? Then what is the remedy? The remedy is very simple, provided we adopt it at a small sacrifice of self-interest. All the tactics we practised during the last three days have been in vain. We have yet hope to make an impression if we sincerely and selflessly combine to dislodge the Ministers whom His Excellency has appointed in the face of popular opposition. This one act on our part will work miracles. If this Council is dissolved, as the suggestion goes, the Government will clearly see the attitude of the country and

will be bound to formulate a policy productive of the greatest good to the people. Brothers, will you not do this and redeem the promise you gave to the people when you went to them for their votes?

**The Hon'ble Sir HUGH STEPHENSON:** Babu Bejoy Krishna Bose has said that these motions were on the agenda last year, but were not moved. His recollection is faulty. The motion came up last year at the same stage as it has apparently come this year at a time when it suited Babu Bejoy Krishna Bose's party to spin the debate out. In answering this motion last year, I said—let me quote what I said: "I may therefore be pardoned if I come to the conclusion that the moving of these motions is merely a tactical manœuvre and that it suits the party for the time being, to spin out the debate." But apart from that it is a curious example of subconscious mentality. Babu Bejoy Krishna Bose had forgotten all about the motion being moved last year, and has forgotten entirely the fact, that he himself spoke on the motion, yet he or his subconscious mind has repeated the whole of the arguments used in that debate last year.

Well, Sir, I oppose this motion. The Council will remember that last year I said that that was the first time the question had ever been raised in this Council that the Governor should not go to the hills. If you are going to have a Governor coming out from Home, you must let him go to the hills, and if he goes to the hills, he must have his Private Secretary with him; and if the Private Secretary goes, then the clerks of his office must go as well. You cannot have the Private Secretary's office stay in Calcutta when the Private Secretary goes to the hills. The clerks of the Private Secretary's office find it more expensive to live in Darjeeling than in Calcutta, for that reason they are allowed a Darjeeling allowance. The Private Secretary has nothing whatever to do with this allowance. It is the clerks to whom this allowance is granted according to the Code which is available to the members for inspection, to compensate them for the extra expenditure of living in Darjeeling, and I think the House will agree that it is more expensive for an Indian clerk to live in Darjeeling than in Calcutta. For these reasons I oppose the motion.

The motion of Mr. Kiran Sankar Roy was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I beg to move that the demand of Rs. 38,500 under the head "22A.—Private Secretary" be refused.

This motion is much wider than the last one moved by my friend Mr. Kiran Sankar Roy. The sum of Rs. 3,000 for hill and Dacca allowances that he moved for refusal in the last motion is included in the present one. We have been repeatedly told that when we have a Governor, many things are required for the convenience of the Governor, and must be given at all costs because he is an English gentleman who

has come here under contract, and he is not used to the climate of India and it is occasionally necessary that he should go to the hills together with his Private Secretary, Military Secretary and other paraphernalia that are necessary for the Governor. Now the Private Secretary is a member of the Indian Civil Service and his salary is non-voted; therefore we cannot touch it, but the other salaries, allowances, expenses and subscriptions to certain Indian News Agencies, postage and telegram charges are included in this demand, and belong to the reserved side of the Government. Last year, when we refused a demand for Rs. 30,000 under the head of renewal of carpets and furniture, His Excellency the Governor restored the demand by certifying to the effect that in the discharge of his responsibilities and duties this amount was necessary. So, if the House throws out the present demand, I am equally certain that His Excellency the Governor would certify the amount and restore it. Whether there is sweet reasonableness in our demand or not, His Excellency is not going to look at it because his advisers——

**Mr. PRESIDENT:** Order, order! You must not refer to His Excellency in that way; you must not make such suggestions

**Maulvi MD. NURUL HUQ CHAUDHURY:** Under the advice of his advisers he will act. Sir, we have repeatedly laid before the Council that all supplies should be stopped until and unless our grievances are redressed. Our grievances have not been redressed Can the Government show a single instance in which our grievances have been redressed. Not one We are politically impotent. The powers that are conferred upon us under the so-called Reforms are a nullity; whatever we may do, whatever we may ask for will not be taken heed of. The Reforms are, therefore, a sham reform, and under these sham reforms we have got men who have come here to run these departments. The Government of India have been pleased to subsidize the Associated Press, and they get certain allowances or rather favourable terms to transmit the news of India——

**Mr. PRESIDENT:** That question does not arise here. The item is in the nature of a subscription to a news agency—it is not a subsidy at all.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I say no such subscription ought to be paid to the Indian News Agency and the reason why it should not be paid is this: copies of any newspapers or books that are edited, printed and published in Calcutta or in this province have got to be compulsorily supplied to the Chief Secretary to this Government. That being the case, a copy of the newspapers published in Calcutta reaches the Government daily or every month as is the

case; so I submit that the sum of Rs. 1,500 that is paid to the Indian News Agency should not be paid to them because Government get the same news free. They should not pay at all.

A sum of Rs. 3,000 has been provided for postage and telegram charges. This sum seems to me very excessive. Last year the Private Secretary did very well with a less grant, and no case has been made out for this increase this year. In the year 1923-24 a sum of Rs. 2,208 was actually spent and this year we see that Rs. 3,000 has been provided, and the Budget estimate for 1924-25 has not been put in the estimate. At the same time I find that the house and other allowances have increased from Rs. 180, Budget estimate of last year to Rs. 900 and a sort of explanation should be forthcoming from the Government as to why there has been an increase of 5 times over the figure for 1923-24. The actuals for the year 1923-24 were Rs. 25 and the estimate for this year is Rs. 900. So, there are many directions in which economy can be practised if Government only so desire. I propose that the amount of Rs. 38,500 under the head "Private Secretary" be refused.

**Babu KHAGENDRA NATH GANGULY:** I beg to move that the demand of Rs. 38,500 under the head "22A.—Staff and Household of the Governor—Private Secretary" (page 48, Civil Estimate) be reduced by Rs. 25,000.

Unlike the amendment of my friend Maulvi Md. Nurul Huq Chaudhury my amendment is not an amendment of total refusal but an amendment for a substantial reduction. This amendment is a question of economy and unless we begin to economize at the fountain head, *viz.*, staff and household of the Governor it would be absolutely useless to try to impress the people in general that the administration is being carried on with an eye to economy. Economy like charity should begin at home. In vain have we urged before that the top-heavy nature of the administration should be done away with. The bureaucracy have kept on their own ways of red-tapism and their expensive methods. We fail to appreciate what earthly advantage the people of the country will derive by the Council voting for such a large amount as Rs. 38,500. In my opinion if the amount be reduced by Rs. 25,000 the work of the staff and household—Private Secretary—can equally go on satisfactorily and the prestige of the Governor will certainly not be affected in the least.

**The Hon'ble Sir HUGH STEPHENSON:** I sympathize with Maulvi Md. Nurul Huq Chaudhury for not being able to move a reduction in the Private Secretary's pay. It is about the only item in the budget which he has not put down in his list of reductions and in as much as he has moved that the total demand for the Private Secretary's Office be refused not on the ground that he can do without an office but on

the ground that it will be necessary for His Excellency the Governor to restore the grant and thereby give him another grievance. I am sure he will not except me to take him seriously or go into the further details in his speech.

Babu Khagendra Nath Ganguly has moved a reduction on the ground of economy. The increase this year comes entirely under the head of postal and telegraphic charges. There is no increase in clerks or any other establishment and I think the mover himself will agree that a cut of two-thirds of the amount is an impossible one for the Government to accept.

**Maulvi MD. NURUL HUQ CHAUDHURY:** What cut can Government accept?

**Mr. PRESIDENT:** One rupee (laughter).

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The motion of Babu Khagendra Nath Ganguly was then put and lost.

**Mr. KIRAN SANKAR ROY:** I beg to move that the demand of Rs. 4,000 under the head "22A.—Staff and Household of the Governor—Hill and Dacca Allowances of the Military Secretary" be refused.

**Babu BORODA PROSAD DEY:** I rise to speak on this motion not so much for adding many new arguments to this question of hill allowance but to raise my humble voice of protest against this unjustifiable expenditure which has been attracting the attention of the general public since the public opinion in this country has become vocal. From our student days we have been hearing of this complaint of the tax-payers of Bengal against this hill allowance. We have seen that some of our revered leaders, who under changed circumstances have now joined the party going to the hills, once raised their powerful voices against this hill allowance. It is because this question has been thoroughly considered by the entire public and condemned in unmistakable terms that I, as a humble representative of that public, think it my duty to raise my voice against the hill allowance. It has been said that when we wanted a British Peer to come out to India as our Governor we must pay for all his expenses, including this hill allowance.

**Maulvi MD. NURUL HUQ CHAUDHURY:** All found!

**Babu BORODA PROSAD DEY:** If that be so and if that argument is at all to be respected I submit that in the next summer there will be

no necessity for this expenditure as we shall not have a British Peer ruling over Bengal, then we shall have our well-known friend Sir John Kerr as our Governor. I have, no doubt, that if this question of hill allowance be placed before Sir John Kerr, whom we have known to be a sympathetic and responsive ruler, he will willingly agree to respect the public opinion on this subject and set at rest all controversy over it. With these few words I protest against this hill allowance.

**Babu BEJOY KRISHNA BOSE:** In rising to support this motion I should like to say one word in reply to the charge which has been brought by the Hon'ble Sir Hugh Stephenson not against me personally but against the party to which I belong. He has read from the speech which he delivered last year and he said that these are tactical manœuvres with the purpose of spinning out the debate. I do not know that I have come to this Council to act like " good boys " as members opposite who never give notices of motions but who follow with the Government regularly to the other lobby. If it is for that purpose that we come to this Council I would rather that we should never come here at all. The charge has been levelled against us that we are spinning out the debate and that it is a tactful manœuvre. I say, Sir, that it is the Government which has been manœuvring for the last one month or more dangling the bait of Ministers before our gaze. It is not the manœuvring of the Swaraj party, but it is the Government which has been manœuvring. What is the Government doing? It is demoralizing the public life of Bengal.

**Mr. PRESIDENT:** We are not discussing Ministers' salaries. At the present moment we are on a definite point, namely, the hill allowance of the Military Secretary. Later on you will have an opportunity of speaking on your point——

**Babu BEJOY KRISHNA BOSE:** I was just replying to the charge of manœuvre—tactical manœuvre—these are ill words.

**Mr. PRESIDENT:** We have had statements of the kind from both sides and if we keep on replying to them we shall never get to the end of our business.

**Babu BEJOY KRISHNA BOSE:** If my remarks are unpalatable——

**Mr. PRESIDENT:** I do not quite know what you mean by the word unpalatable.

**Babu BEJOY KRISHNA BOSE:** I do not mean that my remarks are unpalatable to you, Sir.

**Mr. PRESIDENT:** My concern is that members of the Council shall discuss the particular amendments that have come up.

**Babu BEJOY KRISHNA BOSE:** This reply is in answer to the insinuation made by the Hon'ble Sir Hugh Stephenson. May I be permitted to quote Sir Hugh Stephenson from a certain passage of his speech last year. I read what he said:

> I do not think I shall be justified in wasting the time of this House by discussing the matter in detail. (Mark these words.) I shall only say, therefore, that this is the first time so far as I know that the necessity of His Excellency the Governor—who has to stay here for five years without any leave at all going to the hills has been questioned.

The situation has altered; an Act has been passed in Parliament and Governors can take leave now.

**Maulvi MD. NURUL HUQ CHAUDHURY:** They are in fact going on leave.

**Mr. PRESIDENT:** What has that got to do with the question under discussion? It is not a question of His Excellency the Governor going on leave. Whether the Governor goes on leave or not the Military Secretary will remain here.

**Babu BEJOY KRISHNA BOSE:** The Hon'ble Sir Hugh Stephenson, while speaking on the subject, said that the staff and the household have to move with His Excellency when he goes to the hills.

**Mr. PRESIDENT:** The staff and household have to go to the hills, because even when His Excellency goes on leave some one will have to take his place and there is absolutely no change so far as the staff and household are concerned.

**Babu BEJOY KRISHNA BOSE:** The reason advanced last year was that because His Excellency was not granted leave during his term of five years, he had to go up to the hills, and that was also the reason that the staff had to accompany His Excellency. I say, Sir, that reason is fallacious, as the position has somewhat changed, and His Excellency can now get leave. Moreover, the staff and household and the people who surround His Excellency often go on leave and they spend a good period at home after some 2, 3 or 4 years. The reason for the Governor going up to the hills was that he had to work without leave but that would not apply to the staff and household and I do not see why the staff—for instance, the Private Secretary should go to the hills. In these days of aeroplanes, telephones, telegrams, when one can speak from Delhi to Bombay in half a minute, it is not necessary for the staff and the household to go to the hills. We want to economize. If His Excellency wants to go to the hills, let him go up with one or two

Personal Assistants; but why should the whole office move with him and specially when the Governor is now given leave, there is no necessity for him to go to the hills for enjoying the "home" climate. The time has come when this practice should be put a stop to.

**Babu DEBI PROSAD KHAITAN:** Sir, as I stand up my friends on the other side cry out "Hear; hear." It is the speech of my friend Babu Bejoy Krishna Bose that has compelled me to stand up and vindicate the self-respect of the members of this House sitting on this side. My friend Babu Bejoy Krishna Bose has said that the members of this House on this side like good boys do not send in notices of motions and do not follow my friends on the other side into the lobby, but go with the Government members.

**Rai HARENDRANATH CHAUDHURI:** We never expect you.

**Babu DEBI PROSAD KHAITAN:** Sir, whose action is it that has compelled us or rather prevented us from sending notices of motions or resolutions or taking any active part in the debate? It is the obstructive policy of the Swaraj party supported by the Nationalist party that threw out the Ministers' salaries and prevented the Ministers from being appointed. It was as a result of that action that His Excellency rightly or wrongly decided that——

(Shouts of "rightly" and "wrongly" from both sides of the House.)

**Mr. PRESIDENT:** I cannot allow these expressions.

**Babu DEBI PROSAD KHAITAN:** What I mean to say is that it is that action as the result of which it has been decided that non-official business cannot be taken up for debate or discussion in this House, and, therefore, if any party is responsible for members of this side of the House not to be able to send notices of motions and not to be able to initiate discussions on matters relating to the welfare of the people of the province, I submit, Sir, that it is my friends on the other side of the House who are responsible for it, and it does not lie in the mouth of my friend Babu Bejoy Krishna Bose to accuse us of it. Now, Sir, on the question of the Darjeeling exodus, my friend knows perfectly well that many of us on this side have been always opposed to this exodus, but the question on which the members of this House are fighting——

**Mr. PRESIDENT:** Order, Order! I think you are travelling rather outside the amendment; the speech will be more proper when the question of Ministers' salaries comes up. We are now solely concerned with the staff of the Military Secretary to His Excellency and their hill allowance.

**Babu DEBI PROSAD KHAITAN:** I am thankful to you for having stopped this discussion, but it was called for, because you allowed Babu Bejoy Krishna Bose to place on record a statement that the members on this side of the House are not doing their duty.

**Mr. PRESIDENT:** Order, order! Mr. Khaitan, your statement is equally on record.

**Babu DEBI PROSAD KHAITAN:** I am satisfied.

**The Hon'ble Sir HUGH STEPHENSON:** As Mr. Kiran Sankar Roy had already delivered his manifesto to the Liberal party he had nothing whatever to say in support of this motion, Babu Boroda Prosad Dey has urged that as Sir John Kerr will be the Governor this year, there is no necessity for making this provision in the Budget this year. I can only say that if Babu Boroda Prosad Dey's representations and persuasions induce Sir John Kerr not to go to the hills, the money will be saved, but as I am doubtful of this, I ask the Council to provide this sum in the Budget.

Babu Bejoy Krishna Bose has objected to a speech which I made just a year ago. My recollection is fairly good, but I have no recollection, and there is no record, that either he or any other member of his party ever objected to my remark at that time or claimed that it was not true. But, Sir, if reference to my speech last year has induced Bejoy Babu to read the records of past debates upon this subject, I can only say that it is all to the good, and I hope that it will help to shorten our debates now.

The motion of Mr. Kiran Sankar Roy was then put and lost.

**Babu AKHIL CHANDRA DATTA:** I move that the demand of Rs. 20,000 under the head "22A.—Staff and Household of the Governor" for renewal of furniture and carpets (page 49, Civil Estimate) be refused.

Sir, this item is inseparably connected with some other items. In the same page of the Civil Estimate, *viz.*, page 49, we find the provisions of Rs. 20,000 for renewal of furniture and carpets, for annual maintenance grant for furniture and carpets Rs. 9,098, for curtains and covers Rs. 8,000, and other equipments Rs. 11,794. Then, there is a lump provision for increase of annual maintenance grant of Rs. 13,200; the total being Rs. 62,092. Now, Sir, we know the result of all these motions, we know that a similar motion was carried last year, but it was restored—restored, because it is said it was essential for the discharge of the responsibilities of His Excellency the Governor. Sir, we do not know how it was essential. It passes beyond our comprehension how the British Empire would have fallen down if the carpets and covers were not renewed. We, the members of this Council, are however, all students of the Geeta with intense faith in *Nishkam Karma*.

*We never care for the consequences and we, therefore, take the trouble of moving these things again this year. We had been told last year by* the Hon'ble Member in charge that this furniture in Government House are the property not of the Governor, but of the province. We are glad to know that we, the poor people of this province, have some property over there in Government House.

**Maulvi MD. NURUL HUQ CHAUDHURY:** You cannot touch them.

**Mr. PRESIDENT:** Order, order!

**Babu AKHIL CHANDRA DATTA:** We lawyers know such a thing as legal fiction and this is another fiction that these properties belong to the province, but how to characterise that fiction I do not know. Is it a diplomatic fiction or what the language at my command does not permit me to express it. (A VOICE: Bureaucratic.) Now, it appears to me that this is no more true than it is true that the Government servants of this country are the servants of the public; it is no more true than it is that the members of the Government are the trustees of the dumb millions of the country like the jailor who is the accredited trustee of the prisoners in the jail. Let me take it, Sir, that this is an honest truth, *viz.*, that these are really the property of the province and not of the Governor. If that is an honest truth is it not only proper, is it not only fair, is it not only honourable that our wishes, who are the people of the province and the proprietors of the property, should be respected in this matter. It is not a question of large policy of administration; it is a question of small comfort. If you are really sincere, if you are speaking the honest truth then why not respect the wishes of the proprietors in this matter? Do you know what is the wish of the people of the province? The wish of the people of the province was expressed in an unequivocal manner last year and that wish is this—please sell this furniture and appropriate the sale-proceeds in fighting malaria, in combating the problem of water-supply in the villages. Will you do it? If you are not inclined to sell this property then take the other advice of the proprietors of these furniture burn them down to ashes or throw them into the Ganges—that will save us the cost of the annual maintenance charges.

The time has gone by when the people will take anything lying down. For the time being you are the master of the position. You may not care to listen to the advice of the people but rest assured the time is coming when you will have to listen. These things cannot proceed *ad infinitum*. Sir, a plea of contract has been put forward. It has been said that it is a part of the Governor's salary. Is it so? Is it really so? Then, where is that contract, please? Who are the parties to that contract? We here call in question the genuine character of that contract. We say it is a spurious contract. We have not been a party to any such contract. The position taken up on behalf of His

Excellency is that it is a part of the Governor's salary and that the Governor was induced to accept his office knowing that this would form part of his salary and that it was a consideration for the acceptance of his office. Sir, nothing can be more insulting to the Governor than to suggest that the carpets and curtains were a part of the consideration for which he accepted the office. The whole question is a question of personal comfort. The office of the Governor is not an honorary office. He gets a salary.

**Mr. PRESIDENT:** We cannot discuss the question of the Governor's salary. You are dangerously near the border line.

**Babu AKHIL CHANDRA DATTA:** I was anxious after the Hon'ble Member's speech last evening to know if there was any such contract. So I went to him and I asked him where was that contract? We have been told that it is a part of the Governor's salary. I confess it is rather a delicate matter. So I should not proceed further on these lines. There was one other point in the Hon'ble Member's speech to which I hope you will kindly permit me to reply. It has been said that a certain standard of dignity must be maintained. We do not know where dignity resides. Does it reside in furniture and carpets? We can only appreciate dignity of speech, of utterance, of conduct, and of action. Now, Sir, the standard of dignity at the present moment, it must be admitted is certainly very low in Bengal. Here in Bengal it is not undignified to utter any foul libel against any body.

**Mr. PRESIDENT:** Order, order, please. You must know that it is out of order to make a statement of that kind.

**Babu AKHIL CHANDRA DATTA:** When that argument was advanced by the Hon'ble Member——

**Mr. PRESIDENT:** It was not advanced by him.

**Babu AKHIL CHANDRA DATTA:** He said yesterday——

**Mr. PRESIDENT:** You have made a very general charge that every one in Bengal is in the habit of uttering libellous statements against every one else.

**Babu AKHIL CHANDRA DATTA:** I most certainly say that here in Bengal when two members of this House are detained——

**Mr. PRESIDENT:** That does not arise on a vote for carpets. We are now discussing a demand for a grant of Rs. 20,000 for the renewal of carpets and furniture, and no question of Ordinances and detentions can arise on this vote and I cannot permit you to go into it.

**Babu AKHIL CHANDRA DATTA:** I must explain my position. If you advance the plea of the standard of dignity in support of your demand for the renewal of carpets and furniture can I not show that they were very undignified in all matters?

**Mr. PRESIDENT:** You cannot go into all kinds of extraneous matters. If you do, you will be travelling very much beyond the "carpets and furniture." You must keep yourself within the demand for grant. You must show why you think that Rs. 20,000 is going to cripple the finances of the province or in other way is undesirable, and that is the only point you have to discuss.

**Babu AKHIL CHANDRA DATTA:** Sir, let me explain my position. I say that the whole thing is extremely selfish. It is intensely selfish.

**Mr. PRESIDENT:** On whose part? If you suggest that it is selfish on the part of His Excellency, you must withdraw it at once. If you do not mean that, you must explain who is the selfish person. Is it His Excellency or not?

**Babu AKHIL CHANDRA DATTA:** His Excellency has not put forward this demand. The Hon'ble Member in charge has put forward this demand. He says that it is only fair. I say it is extremely selfish. The arrangement that he suggests is an extremely selfish proposal.

**Mr. PRESIDENT:** On whose part?

**Babu AKHIL CHANDRA DATTA:** On the part of the gentleman who makes this demand.

**Mr. PRESIDENT:** I want to make this quite clear. You do not quite follow my point of view. Do you intend seriously to suggest that the Hon'ble Member in charge in moving this demand for Rs. 20,000 for the renewal of carpets and furniture is acting in a way which is selfish? I cannot have such trifling.

**Babu AKHIL CHANDRA DATTA:** I am not speaking of His Excellency. I am quite sure that His Excellency will be the last person to make a demand of this kind. I cannot conceive for one moment that His Excellency would agree to have this from an unwilling people for his own personal comfort. I say it was extremely selfish on the part of the gentleman who made a proposal like this—it may be to please the Governor, I say it is intensely selfish.

**Mr. E. VILLIERS:** Sir, he is repeating the phrase again.

**Mr. PRESIDENT:** You have repeated the phrase which I ask you to withdraw. It bears only one interpretation and that is what I have put on it. You must withdraw that phrase.

**Babu AKHIL CHANDRA DATTA:** I withdraw the word "selfish" if by any stretch of meaning, it is understood to have any reference to His Excellency.

**Mr. PRESIDENT:** Very well—you withdraw the word with regard to His Excellency and that is the only meaning that the use of the word can bear according to the ordinary conventions of the English language.

**Babu AKHIL CHANDRA DATTA:** So far as I am concerned I have withdrawn the word, but I do so subject to that qualification.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I support this motion.

**The Hon'ble Sir HUGH STEPHENSON:** Will it not be more convenient to take the whole lot together as Babu Akhil Chandra Datta has referred to all the motions?

**Mr. PRESIDENT:** Yes.

**Babu BEJOY KRISHNA BOSE:** I move that the demand of Rs. 20,000 under the head "22. Staff and Household of the Governor—Military Secretary Renewal of Furniture and Carpets" be reduced by Rs. 10,000.

Sir, all that can be said has already been said by Babu Akhil Chandra Datta and I have got nothing more to say. I may say that it is for the renewal of furniture and carpets and carpets and covers. It looks as sinister as Mr. Pickwicks' observation to Mrs. Bardell's about chops and tomato sauce.

**Babu HEM CHANDRA NASKER:** I move that the demand for Rs. 20,000 under the head "22A. Staff and Household of the Governor" for renewal of furniture and carpet (page 49, Civil Estimate) be reduced by Rs. 2,000.

The renewal of furniture and carpets in the household of the Governor we were told in the last Council are made once in every 5 years when a new Governor takes charge of the office. A demand for Rs. 50,000 was assented to by the Council when the present Governor came to office. A further sum of Rs. 30,000 was demanded last year and now this present demand of Rs. 20,000 is made. Now, Sir, we do not know what happens with this replaced furnitures and carpets. Nothing is shown in the revenue side to prove that the replaced furnitures or carpets are sold to increase the revenue, however small the proceeds may be.

Apart from this question the demand of such heavy sums every year is too much for the poor province to bear. Sir, a sum of

Rs. 23,100 which is less than that demanded last year, has been asked for medical and surgical requisites for the mufassal hospitals and dispensaries of the whole of this presidency. A presidency which cannot afford to grant more than Rs. 23,100 for the surgical and medical requisites of mufassal hospitals and dispensaries of the entire presidency should not grant such a heavy sum of not less than Rs. 20,000 almost every year for furniture and carpets of the Governor of such a poor presidency.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 20,000 under the head "22A.—Staff and Household of the Governor—Military Secretary—Renewal of Furniture and Carpets" (page 49, Civil Estimate) be reduced by Re. 1.

He spoke in Bengali. The English translation of his speech is as follows:—

There was a time when nobody ventured to move such a motion as the present one. But even at that time or during the lifetime of the last Council I moved several times motions of this character during the budget discussions. I mention it because there are many people who might think that the present motion has assumed this shape under the inspiration of the policy of obstruction at present adopted and that it could not have been moved by me previously on any account. It is demonstrated clearly that the motion has nothing to do with the obstructionist policy. The cost under this head was rejected last year, but was restored by the Governor by the exercise of the power of certification, and there is no doubt that if we succeed in rejecting it again, it will be similarly restored also this year. But as representatives of the people we are bound to oppose the spending of public money in this way. Many of my brother members have requested me to finish my speech as soon as possible. I take my seat after moving the motion in my name.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I formally move the following:—

That the demand of Rs. 9,098 under the head "22A.—Military Secretary" for annual maintenance grant for furniture and carpets (page 49, Civil Estimate) be refused.

That the demand of Rs. 8,000 under the head "22A.—Military Secretary—Curtains and Covers" (page 49, Civil Estimate) be refused.

That the demand of Rs. 11,794 under the head "22A.—Military Secretary—Other Equipments" (page 49, Civil Estimate) be refused.

That the demand of Rs. 13,200 under the head "22A.—Military Secretary—Lump provision for increase of annual maintenance grant" be refused.

**Maulvi ABDUL GAFUR:** I would like to say one word on these motions. I have seen with my own eyes persons suffering from pneumonia and other diseases lying down on the floor and they could not find even a mat to lie on. In these circumstances it seems strange that a demand should be made for these avoidable luxuries such as carpets, etc. Therefore, I submit that the House should not pass this demand.

**The Hon'ble Sir HUGH STEPHENSON:** The places of residence are placed at the disposal of His Excellency the Governor during the tenure of his office in Bengal. These residences are furnished. It is necessary to maintain those residences and to maintain the furniture. His Excellency cannot sell the furniture when he leaves it must be maintained for his future successors. In the year 1914 the Government of India placed Mr. Knapp (now Sir Arthur Knapp) on special duty to go round all the Government Houses in India and work out a block list of furniture in all the provinces and also to make suggestions for reducing to some sort of standard the question of maintenance of the furniture in the block account. The present system is the one devised by him and sanctioned by the Secretary of State. In the first place, all the furniture and carpets, curtains and covers and other equipment, glass ware, china and so forth, have been valued and a standard valuation has been arrived at. The Secretary of State has sanctioned a standard valuation for each Government House. He has also sanctioned an allowance for the upkeep of furniture, etc., on the block account. The allowance was fixed in 1914 at 7½ per cent. of the valuation of the block account, but it was decided that 5 per cent. out of the 7½ per cent. should not be at the disposal of the Governor for the time being but should accumulate for his successor so that his successor coming in might have a lump sum accumulated out of his predecessor's allowance with which to bring up again the standard of the block account. The other 2½ per cent. is at the disposal every year of His Excellency for the renewal or maintenance of furniture, etc., on the block account.

Now, Sir, coming to these items, the first one renewal of furniture and carpets about which so much has been said comes out of the accumulation made during Lord Ronaldshay's time. It is not out of the current maintenance grant. During Lord Ronaldshay's 5 years Rs. 90,000 accumulated which under the existing arrangement sanctioned by the Secretary of State was placed at the disposal of Lord Ronaldshay's successor, and it is open to his successor to spend that money at any time he likes during his five years, but during those five years he in his turn has to accumulate another Rs. 90,000 for his successor. Well, Sir, out of the amount of Rs. 90,000 during the three years of His Excellency's administration something like Rs. 70,000 has been spent. If the whole of the provision in the current year's Budget is spent, there will still remain Rs. 29,567 available for His

Excellency out of the accumulations made during Lord Ronaldshay's time. We have put down Rs. 20,000 in the Budget. It has not come out of revenue but out of the deferred allowances of Lord Ronaldshay, but it has to appear in the Budget. That accounts for Rs. 20,000 for the renewal of furniture and carpets.

The next item is the annual maintenance grant. This is the 2½ per cent. on the block account which is available for expenditure by the Governor. It is divided into three heads—firstly, furniture and carpets; secondly, curtains and covers; and thirdly, other equipment. As regards curtains and covers, the point is this that we do not want an annual maintenance grant for curtains and covers. What we do want is to renew the curtains and covers. Therefore, it is arranged that the Governor can anticipate 2½ years' accumulations and spend 2½ years' grant at one time but it must not exceed during the term of his office that 2½ per cent. on the block account of the value of these articles.

Then, Sir, as regards the third item, other equipment—glass, china, linen and so forth—that has a separate block account and 2½ per cent of their value is budgetted for every year. The annual maintenance grant of "Other Equipment" is exactly the same as last year.

Then, Sir, the remaining item is the lump provision for increase of annual maintenance grant, Rs. 13,200. The explanation of that is that at the time the block account was made and when the furniture, carpets and everything else in all Government Houses were valued, prices were very much lower than they are now. Therefore, the 2½ per cent. on the valuation of these articles is not sufficient for their maintenance. It is entirely illogical to increase the percentage. What ought to have been done was to increase the block account, to increase the valuation and to make a new valuation. But the Secretary of State is always hoping that the prices will come down and is unwilling to raise the block account which will have the effect of raising the grant. Therefore, he has adopted a somewhat illogical system of raising the percentage instead of raising the block account. That has been done for the last four years. Every year we have to get his sanction and every year we have to show that the prices of these things have not fallen to enable us to maintain the furniture and so forth with the ordinary maintenance grant.

This, Sir, covers the whole of these motions. I hope that the House, after the explanation I have given, will vote the demands.

**Dr. BIDHAN CHANDRA ROY:** May I inquire that if Rs. 20,000 is spent this year, should not only Rs. 7,000 be left over from the block account for the next 2 years?

**The Hon'ble Sir HUGH STEPHENSON:** If the whole of Rs. 30,000 is spent, there will remain Rs. 29,567. Out of that we are

providing Rs. 20,000 this year, and at the end of this year there will be left a sum of Rs. 9,567.

**Dr. BIDHAN CHANDRA ROY:** Then there will be no demand for increasing the block account beyond Rs. 9,000

**The Hon'ble Sir HUGH STEPHENSON:** The Governor can only spend this Rs. 9,000 during his term of office.

The motion of Babu Akhil Chandra Datta was put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Soroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Dabendra Lal.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Ray, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naimiranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Sand, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corsaran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.

Morone, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Pahlewan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. F.
Woodhead, Mr. J. A.

The Ayes being 50 and the Noes 71, the motion was lost.

The motions of Babu Bejoy Krishna Bose, Babu Hem Chandra Nasker and Shah Syed Emdadul Huq were then put and lost.

The motions of Maulvi Md. Nurul Huq Chaudhury were then put and lost.

**Babu HEM CHANDRA NASKER:** I beg to move that the demand of Rs. 22,900 under the head "22A.—Staff and Household of the Governor" for Barrackpore Park maintenance charges be reduced by Rs. 4,400.

Sir, last year and year before last the maintenance charges were much lower and I do not find any reason of this increase. For the sake of economy at least this increased demand should not be assented to. So the excess demand of Rs. 4,400 should be refused.

**The Hon'ble Sir HUGH STEPHENSON:** The mover of this amendment is not quite correct in saying that no explanation has been given and I hope that after I have given the explanation he will be satisfied. The upkeep of the Barrackpore Park used to amount to about Rs. 22,000; when the Barrackpore Park was transferred to this province, first of all that amount appeared in the Public Works Budget and later on it was shifted to the Military Secretary's Budget. We then cut it down from Rs. 21,000 and odd to Rs. 18,500. It has been represented that the amount is not sufficient to keep it up and when we refused to grant a bigger sum the Curator's Department asked that the amount of money he could get by grazing, by selling the fruits and by selling the flowers should be returned to him for expenditure on the Park, and Government considered that that was reasonable. This accounts for the estimated increase for next year over the last year's actuals and we shall every year, in giving this extra amount, have regard to the profit the Curator has made in the previous year. It seems to be reasonable that he should be encouraged to make money out of the park in order to increase the money at his disposal for the upkeep of the Park.

**Dr. BIDHAN CHANDRA ROY:** As I could not follow the Hon'ble Member may I ask——

**Mr. PRESIDENT:** I raise no objection to your doing so, but in future if you have any question to ask it will be much more convenient to formulate it before the Government Member replies.

**Dr. BIDHAN CHANDRA ROY:** As his explanation was not clear I am asking this question. Is Rs. 4,400 the money the Curator recovers from the sale of flowers, etc?

**The Hon'ble Sir HUGH STEPHENSON:** That is the amount the Curator expects to make by the sale of flowers, etc.

**Dr. BIDHAN CHANDRA ROY:** Is this sum credited to the Government side?

**The Hon'ble Sir HUGH STEPHENSON:** It is credited in the ordinary way.

The motion of Babu Hem Chandra Nasker was then put and lost.

The following motions were called but not moved:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,05,000 under the head '22A.—Military Secretary' (page 49, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 2,05,000 under the head '22A.—Staff and Household of the Governor—Military Secretary' (page 49, Civil Estimate) be reduced by Rs. 1,25,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,05,000 under the head '22A.—Staff and Household of the Governor—Military Secretary' (page 49, Civil Estimate) be reduced by Rs. 35,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 14,000 under the head '22A.—Surgeon to His Excellency the Governor' (page 49, Civil Estimate) be refused."

**Babu AKHIL CHANDRA DATTA:** With your permission, Sir, may I move the two motions jointly?

**Mr. PRESIDENT:** Yes, please.

**Babu AKHIL CHANDRA DATTA:** I beg to move

That the demand of Rs. 77,500 under the head "22A. Staff and Household of the Governor—for Band Establishment and Allowances" (page 49, Civil Estimate) be refused.

That the demand of Rs. 77,500 under the head "22A. Staff and Household of the Governor—for Band Establishment and Allowances" (page 49, Civil Estimate) be reduced by Rs. 27,500.

In support of my motions I will content myself merely with making the observation that Nero should not be fiddling while Rome is burning.

**Dr. PRAMATHANATH BANERJEA:** I move that the demand of Rs. 82,000 under the head " 22A.—Band Establishment " (page 49, Civil Estimate) be refused.

The other day the Hon'ble Sir Hugh Stephenson said that this is not a personal question, and I entirely agree with him. There is nobody in this House who would want to cause any discomfort to His Excellency the Governor of Bengal. I urge this motion on economic grounds. It is the duty of every elected member of this Council to propose the omission of any expenditure that may appear to be unnecessary or wasteful. In the old days of Lieutenant-Governors there was no band at Government House, and I do not know that any great inconvenience was then felt. A band is required only on ceremonial occasions, but on such occasions the band at Fort William, which has not very onerous duties to perform, might be available—if necessary on payment of small sums. If this motion be accepted, a sum of Rs. 82,000, which is not a very small sum, may be devoted to more useful purposes. I hope, therefore, that the Council will accept this motion.

**Maulvi MD. NURUL HUQ CHAUDHURY:** In this connection, what my friend Dr. Pramathanath Banerjea has said I fully endorse. The distance from Fort William to Government House is not very far and a telephonic communication might bring in any number of bands from Fort William.

**Mr. E. VILLIERS:** Question.

**Maulvi MD. NURUL HUQ CHAUDHURY:** It may be questoned; but I know for certain that when you go to the race-course you find that the Cameron Highlanders go there with their instruments to play on payment of a very small fee, or for refreshment only. If that can be done, I do not see why the band could not go to Government House for a better purpose.

**Mr. E. VILLIERS:** I questioned the member's statement that any number of bands should be sent from Fort William to Government House.

**Maulvi MD. NURUL HUQ CHAUDHURY:** But I know, Sir, that the Cameron Highlanders go to the race-course.

**Mr. PRESIDENT:** Yes, Maulvi Saheb, I understand your point.

**Maulvi MD. NURUL HUQ CHAUDHURY:** If, as I have said, the Governor cannot do without a band, he can requisition the same from

Fort William and as he is the head of the province, Fort William is also under him—if I am not correct, the Hon'ble Member in charge will correct me.

Sir, a charge has been levelled against us by my friend, Babu Debi Prosad Khitian, who is a nominated member, that we are responsible for obstruction and that is the reason why he and the other members on the other side of the House do not see eye to eye with us and, therefore, do not vote with us on certain beneficial subjects. Sir, it has been very much demonstrated now that when we want, we do not find my friend, Mr. Khitian, to come forward and vote that a sum of Rs. 82,000 be saved——

**Babu DEBI PROSAD KHAITAN:** Sir, my friend is mispronouncing my name. My name is Khaitan and not Khitian. (Laughter.)

**Maulvi MD. NURUL HUQ CHAUDHURY:** I am sorry, Sir, and I will say Mr. Khaitan and not Khitian. We want him, although he may be a nominated member, and also the other elected representatives of the country who sit on the opposite side and who feel that this sort of expenditure should be done away with, to vote with us. Of course, I do not speak of the European members because they will not vote with us except in matters like the Rent Act which touch their pockets. I hope that the other elected members will vote with us at least on this occasion.

**SHAH SYED EMDADUL HAQ** supported the motion of Dr. Pramathanath Banerjea and moved that the demand of Rs. 82,000 under the head "22A.—Staff and Household of the Governor- Band Establishment" (page 49, Civil Estimate) be reduced by Re. 1.

He spoke in Bengali. The English translation of his speech is as follows:—

I have spoken against the band establishment of His Excellency the Governor on several occasions in this Council before the adoption of the policy of obstruction. As that band or *nahabat* (music party) does not continually play in Government House like the *nahabat* in the days of the Muslim Nawabs, temporary arrangements for such performance, if required, can be very easily made. When I spoke on this subject referring to the possibility of making such a good arrangement, drawing attention to the fact that the Governors of the Punjab, the Central Provinces, the United Provinces, and Bihar and Orissa have no band establishments and also the lesser costliness of the band establishments of the Governors of Bombay and Madras, Government replied that so much money was necessary in order to maintain properly the dignity of the Governor of Bengal. It is quite likely that they will give a similar reply on the present occasion, and even if we succeed in fully rejecting the demand, the Governor fully enjoys the privilege of restoring it by certification, and probably he will certify it.

The money belongs to the public and anybody in Government who spends this money which is like the very blood of the people, is in honesty and justice bound to render an account for the same, and one day or other this account will have to be rendered. The sky and the air resound with the cries of lamentation of those to whom the money belongs, on account of disease, grief, want of food, and want of cloth. In these circumstances if the Governor can forget the pomp and grandeur associated with the maintenance of a band establishment, and direct his attention to the unpretentious music of the lamentation of the poor people, and give this 82 thousand to them, it will certainly redound to his glory in this world and in the other.

The *nahabat* music was customary at the time of the Muslim rulers. While it contributed to the enjoyment of a large number of people, the money spent for it remained in the country, as the musicians belonged to this country. Even in these circumstances, the luxurious style of the Muslim rulers is sometimes cited as the cause of their downfall, as the result of which British rule was established in India. Now, if the British people want to outdo the Muslim Nawabs in this respect, how can it be said that they and their times are more civilized than the Nawabs and their times? As many among the members appear to be impatient at my speech, I conclude my remarks here and move the motion standing in my name.

**Maulvi SAYEDUL HOQUE:** It is said that the band establishment is not for the personal use of His Excellency but for the purpose of maintaining the grandeur of the high office of His Excellency. It is true to some extent that grandeur is required for the State, but there is proportion in everything. The band establishment is hundred times more grand than it is required. The people are so much cut down and humbled that the very name of His Excellency or the *Lat Saheb* is sufficient to strike the people with awe and fear. Moreover, the position His Excellency occupies, his opulence, his mode of living and touring are in themselves grand enough. In spite of these the band establishment is required: but the condition of the poor tax-payers is not satisfactory enough to pay for it. As the nation-building have not been provided with sufficient funds, our boys cannot get proper education for want of money, our countrymen die by thousands for want of good drinking water, every industry is dying for want of funds, how unsatisfactory and disgraceful it seems that Rs. 82,000 is required for the band establishment. We are crying hoarse for money, for bread, the nation-building department are being starved for want of money, but we are asked to provide money for a band establishment. It is adding insult to injury in these days of economical distress, and I hope that the House will not hesitate to do away with this band establishment.

**Babu NALINIRANJAN SARKER:** Sir, in making this motion for refusal of the grant for the band establishment for His Excellency the

Governor I want to allay at the outset any suspicions with regard to my personal taste for music. Let me not be branded as a person who is not "moved with concord of sweet sounds," who " hath no music in himself " and is therefore " fit for treason " and to be hunted up by the luminaries of the Secret Service. I feel every bit as merry as I trust His Excellency himself does when I hear sweet music. But all my personal love for music cannot prevent my public conscience revolting at the cruel incidence of this costly pleasure, which is a recurring burden on the province of about Rs. 80,000 a year, a sum whereby life-saving schemes entailing a non-recurring expenditure of about 15 lakhs may well be financed.

What is this band establishment after all? Judged from the point of view of evolution, it is rather a relic of an ancient autocracy and cannot be suffered to triumph in these days of democracy. Neither can we defend this institution on the ground of prestige, in as much as the real support of prestige comes from within and not from without. The paraphernalia of a band with its liveried establishment syncopating "The Victory March " or playing a fox trot to soothe the jaggled nerves of bureaucratic officials will not sever to bolster up a prestige which is not maintained by the right conduct of head and heart.

Every attempt to display the sword that governs, every resort to high-handed constitutional measures or tactics purported to stifle the hunger for liberty of the people put one more nail on the coffin of a prestige that is wavering. Every act that borders on the undignified, every attempt at intimidation by a recapitulation of the powers of the Executive on whom, we only know too well, every authority has in reality been vested, sounds an additional clang in the death-knell of the prestige which we are called upon to make vain efforts to sustain by pouring out the last drops of blood of the starving millions on a band establishment.

A band establishment to my mind, is the very last thing which can claim in this country any utility from the administrative point of view though His Excellency considered the band establishment also as essential to the discharge of his responsibility when he restored the grant last year. If it be so vitally necessary to give outward support to a prestige decaying from within let there be at least some pretence of doing something useful which can keep on its own legs without the stimulation of the inspiring din of drum and cymbal.

It will be interesting here to look at the Budget estimates of some of the sister provinces. The unmusical Governors of the Punjab, Central Provinces, United Provinces and Bihar, not to speak of the lesser provinces, are all without a band. The Governor of Bombay wants about Rs. 60,000, while Madras makes a humble demand of only Rs. 32,000, why Bengal should out-Herod Herod by making a demand out of all proportion to the other provinces can only be explained by

the supposition that the propping up of prestige is more badly wanted here than anywhere else in India. If my information is correct few Colonial Governors feel the want of leering a band on their people, but then, in the Colonies the code of honour of the Government is different of course. In a matter affecting the personal luxury of His Excellency, one might have expected that he himself would come forward to dispense with the same. But in this province it seems to have become a regular cult not to respect the wishes or interests of those who cannot see their way to support the bureaucratic system.

Let me, however, end my appeal by slightly paraphrasing a well-known couplet:

"Honour and shame from no band can arise.

Act well thy part, *there* all the honour lies"

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** I move that the demand for Rs. 82,000 under the head "22A.—Staff and Household of the Governor—Band Establishment" (page 49, Civil Estimate) be reduced by Rs. 40,000.

The motion for total refusal has just been made with reasons, but mine is only for a reduction by less than a half. I do not think that a whole-time band is necessary as His Excellency the Governor goes frequently on tour. I think it can be locally arranged on contract system for the period required when His Excellency remains at the headquarters. This motion, if accepted by Government, will effect a saving which may be more profitably utilized towards the real needs of the country.

**Maulvi ABDUL GAFUR:** When the band of death is so very greatly trumpeting in the poor cottages of Bengal, is it right and proper to have a band for the Governor? Is it at all necessary and useful to maintain such a band? Sir, if we look to the comfort of raiyats, we should not submit to this.

**Mr. A. C. BANERJEE:** I stoutly oppose this demand for grant for His Excellency's band and that for reasons which have already been enumerated by the previous speakers, but which will bear repetition in a small measure at all events. Sir, I should like to be assured as to whether the band is necessary to the convenience and comfort of His Excellency the Governor or is it necessary to keep his dignity intact? I do not think that it can be urged that the Governor's convenience and comforts require that there should be such an expensive band establishment, unless, of course, the Hon'ble Member tells us that it helps His Excellency's digestion to have the band playing when His Excellency dines? Sir, if it be suggested that it is necessary for the maintenance of His Excellency's dignity, then I would say that his dignity is best

maintained by his action; and that if his position requires to be supported by carpets and bands, then sooner that position is abolished, the better. In a country where millions are dying annually for want of proper sanitation, for want of proper food, for want of proper water-supply, for want of proper medical relief—in a country where the position of things is like that—for the Hon'ble Member to come forward for a demand for grant saying that His Excellency's position and dignity require a band establishment, shows that there is a good deal of bare-faced effrontery in the Treasury Bench.

**Babu BORODA PROSAD DEY:** Sir, consistently with the responsibility of my position it is my duty to oppose this grant. It is almost a lakh of rupees that we are asked to pay for His Excellency's band. I really pity the position of the Finance Member when he has to put forward for the acceptance of the intelligent representatives of public opinion in this Council such a thing as the band establishment for the Governor, and to ask that a sum of Rs. 82,000 be provided for the same, when only Rs. 50,000 has been allotted for malaria and Rs. 25,000 for kala-azar. Sir, I really fail to see how it has gone down into the Budget and how the Treasury Bench means to support this before the bar of public opinion not only in this province but outside it and even outside India. If I remember rightly the Retrenchment Committee strongly criticized this expenditure, although, as in other matters, the recommendations of the Committee have not been given effect to. The Committee was composed of gentlemen of Government's own choice, and it's recommendations ought to have received some consideration at the hands of the Government. Sir, if it is necessary to maintain the dignity of the Governor by music, let Bengal's Governor have Bengali music. We have heard that our Badshas, Nawabs and Rajas had *Nahabat* placed in their gates. Let the best *Nahabat* in India be brought and placed upon the four gates of the Government House. We shall have no objection to that, and I hope it will cost only between Rs. 5,000 and Rs. 10,000 a year at the utmost. It will not only delight His Excellency and his party, but will also be a source of delight to outsiders to hear the music four or six times a day.

**Babu BEJOY KRISHNA BOSE:** Sir, I rise to speak in support of the motion standing in the name of Rai Satyendra Nath Roy Choudhuri Bahadur. If this motion is carried, then we will have a sum of Rs. 42,000 left over. I am not going to support it on the grounds urged by Babu Boroda Prosad Dey, *viz.*, that if there should be a band, let there be a Bengali band. I am not going to Indianize the band of His Excellency. I have in my hand the Civil Budget estimate of the Madras Government for 1925-26. I am not speaking on the merits of the question and I hope my friends opposite who were annoyed by my

calling them good boys—I withdraw the term if they do not like it—will support me now. On page 91 of the Madras Budget I find that the demand for His Excellency's band is Rs. 34,000 for 1925-26, the actual of 1924-25 was Rs. 32,000. In the Budget estimate of 1924-25 it was Rs. 34,614, that is to say it is Rs. 614 less. But here in Bengal we are a little more generous and we are providing for Rs. 8,000 more, that is to say Rs. 42,000—Rs. 8,000 more than what the Madras Government require for His Excellency's band establishment. I hope and trust my friends opposite will now support the motion.

**Maulvi KADER BAKSH:** As a representative of the people of some part of the province, it is my duty to make some observations on the subject-matter of discussion. Sir, music is generally played on some ceremonial occasions, entertainments or on some festal gatherings. May I ask whether Bengal is on festivity or whether the whole of Bengal is in mourning? Now, Sir, should music to be played in the Government House receive greater consideration than the doleful music that is being raised in every village of Bengal by premature deaths from the ravages of malaria, kala-azar and thousand other diseases and last but not least for want of good drinking water. I beg to submit that the dignity of His Excellency will be very much appreciated by the people inside and outside India if the grant is more profitably utilized to improve the sanitary condition of Bengal.

**Dr. BIDHAN CHANDRA ROY:** Will you permit me to ask the Hon'ble Member in charge whether the Madras bandsmen are cheaper than Calcutta bandsmen? I know that the Madras cooks are dearer than Calcutta cooks.

**Dr. MOHINI MOHAN DAS** spoke in Bengali. The English translation of his speech is as follows:—

In supporting Rai Satyendra Nath Roy Choudhuri Bahadur's motion, I want to say that I do not know whether the prestige of His Excellency the Governor lies even partially in this band or in carpets and furniture. Though there has been much discussion already on this subject in the Council, I do not wish to put myself into danger by hazarding any remark on the subject, particularly as that would be impertinence on the part of a man like me. We cannot understand, however, why the money of a poor country like ours should be spent in this way. His Excellency the Governor has come to this country at the cost of some trouble to take over the administration of the country; what has that got to do with the performance by a band party? We have no experience as to whether the performance of such a band is helpful to digestion or sleep; learned and experienced physicians like Dr. Roy are in a position to give opinions on this subject. If this

kind of musical performance is unavoidably required for such a purpose, our Indian *sanai, tikara*, etc., composing a *roshan chowki* (music party) can be requisitioned to give pleasure to his mind and the object will be gained at a considerably smaller cost. Why should its money, which is as dear as the heart's blood of the country ravaged by kala-azar, malaria and famine, be spent in this manner? And how can we sanction money for a purpose which is absolutely unintelligible to us?

**The Hon'ble Sir HUGH STEPHENSON:** This is one of the demands referred to by me in my speech yesterday coming under the head of the recognized standard of dignity of the Governor of the province. Those who can remember as long ago as the partition of Bengal, the creation of Bengal into a province will remember that a very great point was made not only by Government but in all speeches and correspondence that the bodyguard and band were the outward and visible signs that Bengal was a Presidency and not a province. We have been told that Bihar and Orissa and the Central Provinces have no band. That is true; they have to borrow a Police band when necessary. But, Sir, it was with a very definite intention of marking the difference between Bengal and Bihar and Orissa and the Central Provinces that the band and bodyguard were instituted. It has been suggested that the band is unnecessary because Fort William is full of bands and we can get one in a taxi in a moment. Well, Sir, the Governor of Bengal has certain social duties; he has a certain amount of dignity to maintain and certain entertainments to give, and for those social duties and entertainments a band, if not absolutely essential, is at all events eminently desirable. As to the suggestion that a Military band might be used instead, I need only say that it would probably be rather more expensive than this. The Military do not provide the Civil Department with anything free and very little for sixpence. They charge the full value of all services they render to the Civil Department, and if we are to have a Military band on the occasions of dinner parties, entertainments, etc., I have, no doubt, that the bill at the end of the year will amount to very little less than this demand.

Then, Sir, the band, in addition to its duties at the Government House, takes part in charitable concerts. At Darjeeling it plays two or three evenings in the week in the Park for the benefit of the public generally and those who have been fortunate enough to be present at the concerts given at the Empire Theatre will bear me out when I say that, if we have an expensive band, at all events we have at least got our money's worth. It is a good band.

I oppose all these motions on the ground that a band is necessary for the social duties of His Excellency and that a band has always been

*regarded as one of the outward and visible signs of Bengal being raised to the status of a Presidency from that of a province and that the band* we have got now is a very good one.

The motions of Babu Akhil Chandra Datta were then put and lost.

The motion of Dr. Pramathanath Banerjea was then put and lost.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Daud, Mr. M.
Dey, Babu Beroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayadul.
Hossain, Maulvi Wahed.
Huq, Maulvi A. K. Fazl-ul.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Maslh, Mr. Syed M.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Babu Satya Kishore.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali Khan Bahadur
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Da, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Eddis, Mr. S. E. G.
Faroqui, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.

Law, Raja Reshee Case.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Morgan, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Babu Surendra Nath.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

**Mr. PRESIDENT:** I have ordered the name of Rai Badridas Goenka Bahadur to be expunged from the "Noes" Division List in as much as he entered the Chamber after I gave orders for the doors to be closed.

The Ayes being 67 and the Noes 60, the motion was carried.

The motion of Shah Syed Emdadul Haq was not put as it was covered by the foregoing decision of the Council.

## Adjournment.

The Council was then adjourned till 3 P.M. on Monday, the 23rd March, 1925, at the Town Hall, Calcutta.

regarded as one of the outward and visible signs of Bengal being raised to the status of a Presidency from that of a province and that the band we have got now is a very good one.

The motions of Babu Akhil Chandra Datta were then put and lost.

The motion of Dr. Pramathanath Banerjea was then put and lost.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chatterjea, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Daud, Mr. M.
Dey, Babu Boreda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Maulvi A. K. Fazl-ul.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Masih, Mr. Syed M.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

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Addy, Babu Amulya Dhone.
Ali, Mr. Altaf.
Band, Mr. R. N.
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Banerjee, Rai Bahadur Abinash Chandra.
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Barton, Mr. H.
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Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
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Donald, the Hon'ble Mr. J.
Dutt, Mr. G. S.
Eddis, Mr. S. E. G.
Faroqui, Khan Bahadur K. G. M.
Goode, Mr. S. W.
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Gurner, Mr. C. W.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Jennaway, Mr. J. H.
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Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
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Roy, Mr. Tarit Bhusan.
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The Ayes being 67 and the Noes 60, the motion was carried.

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## Adjournment.

The Council was then adjourned till 3 P.M. on Monday, the 23rd March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 23rd March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the two Hon'ble Ministers, and 128 nominated and elected members.

## The Budget of the Government of Bengal for 1925-26.

### Demands for Grants.

22.—GENERAL ADMINISTRATION.

The discussion on the demands for grants was resumed.

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** We have exactly four hours for the rest of "General Administration".

The following motions were called but not moved:—

**Dr. PRAMATHANATH BANERJEA, Mr. KIRAN SANKAR ROY, Babu BEJOY KRISHNA BOSE, BABU HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR, Babu MANMOHON NEOGI, Babu NALINIRANJAN SARKER and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,11,000 under the head '22A.—Body Guard Establishment' (page 50, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 1,11,000 under the head '22A.—Staff and Household of the Governor—Body Guard Establishment' (page 50, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi WAHED HOSSAIN and Babu AKHIL CHANDRA DATTA:** "That the demand of Rs. 1,11,000 under the head '22A.—Staff and Household of the Governor for Total Guard Establishment' (page 50, Civil Estimate) be reduced by Rs. 11,000."

**Mr. KIRAN SANKAR ROY, Maulvi MD. NURUL HUQ CHAUDHURY, Maulvi SAYEDUL HOQUE and Babu MANMATHA NATH**

**ROY:** "That the demand of Rs. 4,50,500 under the head '22A.—Staff and Household of the Governor' (page 47, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 4,50,500 under the head '22A.—Staff and Household of the Governor' (page 47, Civil Estimate) be reduced by Rs. 2,46,000."

The following motion was, by leave of the Council, withdrawn:—

**Maulvi WAHED HOSSAIN:** "That the demand of Rs. 4,50,500 under the head '22A—General Administration—Staff and Household of the Governor' (page 47, Civil Estimate) be reduced by Rs. 50,500."

The following motions were called but not moved:—

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 4,50,500 under the head '22A.—Staff and Household of the Governor' (page 47, Civil Estimate) be reduced by Rs. 20,000."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 4,50,500 for expenditure under the head '22A.—Staff and Household of the Governor' (page 47, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,10,000 under the head '22B.—Expenditure from Contract Allowance' (page 50, Civil Estimate) be refused."

**Babu KHAGENDRA NATH CANGULY:** "That the demand of Rs. 1,10,000 under the head '22B.—Expenditure from Contract Allowance' (page 50, Civil Estimate) be reduced by Rs. 90,000."

**Maulvi KADER BAKSH, Maulvi WAHED HOSSAIN and Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 1,10,000 under the head '22B.—Expenditure from Contract Allowance' be reduced by Rs 10,000."

**Babu AKHIL CHANDRA DATTA, Mr. KIRAN SANKAR ROY, Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 1,37,000 under the head '22C.—Tour Expenses—Special Trains and Haulage of Saloon Carriages' (page 50, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 1,94,000 under the head '22C.—Tour Expenses' (page 50, Civil Estimate) be refused."

**Babu KHAGENDRA NATH CANGULY:** "That the demand of Rs 1,94,000 under the head '22C. General Administration—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 1,50,000."

**Babu BORODA PROSAD DEY and Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 1,94,000 under the head '22C.—General Administration—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 1,00,000."

**Dr. PRAMATHANATH BANERJEA and Maulvi WAHED HOSSAIN:** "That the demand of Rs. 1,94,000 under the head '22C.—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 94,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 1,94,000 under the head '22C.—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 80,000."

**Babu TARAKNATH MUKERJEA and Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 1,94,000 under the head '22C.—General Administration—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 44,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 1,94,000 under the head '22C.—Tour Expenses' (page 50, Civil Estimate) be reduced by Rs. 34,000."

**Babu MANMOHON NEOGI, Maulvi SAYEDUL HOQUE and Babu HEM CHANDRA NASKER:** "That the demand of Rs. 1,94,000 under the head '22C.—Tour Expenses' (page 50, Civil Estimate) be reduced by Re. 1."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 11,500 under the head '22D.—Executive Council' for travelling allowance (page 51, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 11,500 under the head '22D.—Executive Council—Travelling Allowance' (page 51, Civil Estimate) be reduced by Rs. 1,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 26,000 under the head '22D.—Executive Council' (page 51, Civil Estimate) be refused."

**Babu MANMOHON NEOGI:** "That the demand of Rs. 26,000 under the head '22D.—Executive Council' (page 51, Civil Estimate) be reduced by Rs. 13,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 26,000 under the head '22D.—Executive Council' (page 51, Civil Estimate) be reduced by Rs. 6,500."

**SHAH SYED EMDADUL HAQ and Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 26,000 under the head '22D.—Executive Council' (page 51, Civil Estimate) be reduced by Re. 1."

**Procedure for voting on Ministers' salaries.**

**Mr. PRESIDENT:** It will be for the convenience of the Council if I indicate briefly the procedure which I propose to adopt in putting the various amendments to the demand for grant for Ministers' salaries. I have given careful consideration to this matter and am anxious to give the fullest opportunity to the Council to record a clear decision upon the various questions at issue. I have come to the conclusion that the most satisfactory method will be to divide the amendments into three categories. The first category will comprise amendments for the refusal of the whole amount or for such substantial reduction as make it plain, if they are carried, that the Council desires to reverse the decision at which it arrived on the 17th January. I shall put in this connection the first amendment which asks the Council to refuse the whole amount, and if this is carried all other amendments on the paper naturally fall to the ground. If this is defeated, the next category of amendments will come under consideration. This is the class which designs to fix the salary of Ministers at some figure between Rs. 3,000 a month which is the minimum that the Government are prepared to accept and the full amount of Rs. 5,333-5-4 per mensem authorised by the Government of India Act. These amendments will be put seriatim until the Council has agreed to some definite amount or has defeated them all in which case the maximum of Rs. 5,333-5-4 will stand fixed as the salary of Ministers. The third category is composed of what I may call token reductions, namely, reductions by amounts ranging from Rs. 100 to Re. 1. I shall put one of these amendments in the following form: "That the demand for grant as amended by the Council be further reduced by the sum of Rs. 100." If this is carried, it will operate, as the Government have intimated, as a vote of censure upon both the Ministers. It may, however, happen that the Council will refuse to make this token reduction, and in that case, members will have a further opportunity of indicating their want of confidence in either of the Ministers when the votes for their respective departments come up for discussion: that is to say, the carrying of a token reduction in the Education vote will entail a vote of censure on the Minister for Education: and the carrying of a token reduction in the vote for Local Self-Government will similarly affect the Minister for Local Self-Government. I have power under Standing Order 33 (section 40) of the Legislative Council Manual where substantially identical amendments are on the paper, to decide which of the motions shall be moved, and I propose to exercise that power in the present instance in order to meet the convenience of the Council. Members will be at liberty to move any amendments of which they have given notice in each of the several categories and to speak upon them, but the principal motion alone will be put to the vote.

**Babu NALINIRANJAN SARKER:** I move that the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of officers—2 Ministers" be refused.

In rising to move the refusal of the salaries of the Ministers, I feel I am calling upon the House to decide not a new issue but to give the finishing stroke to the protracted struggle to subvert the pernicious reign of dyarchy from which struggle this House has already emerged triumphant on the last two occasions. The question of salaries is being systematically and doggedly put before the House with the studied object of putting to the test its steadfastness of purpose and with the forlorn hope of giving to dyarchy a new lease of life, if life it may be called. Now that the same issue has come up before us again, I make bold to assert in no uncertain terms that it is once more our solemn duty to ratify our emphatic condemnation of dyarchy.

There is no better guide than experience. And what is the experience of those staunch supporters of dyarchy who were associated with it with a sincere desire to work it loyally as a means or measure of responsible government? The futility of dyarchy has been echoed and re-echoed through their utterances. Even turning to Governments we find the same opinion confirmed of this "phase of diehardarchy". The Government of the United Provinces, perhaps reluctantly admit that "Dyarchy is obviously a cumbrous, complex, confused system, having no logical basis, rooted in compromise and defensible only as a transitional expedient." They add that "concession which falls short of complete provincial autonomy will placate no section of the opponents of the existing system; that they will secure neither stability nor contentment; and that they will lower the efficiency, already impaired, of the administration".

The present Members of the Executive Council of the Government of Bombay confirms our views that the system of dyarchy must be put an end to, and provincial autonomy must take its place, in view of the inherent defects of the constitution.

Coming nearer home, it will perhaps be of interest to the House if I quote the words of one of the very Ministers whose salary is under consideration to-day, I mean the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, who, during his brief interregnum, observed in his evidence before the Muddiman Committee that under the existing constitution, the transferred departments are "concerned more with the smooth running of the official machinery and technical perfection of method than giving effect to the desires and aspirations of the people". He also lamented that the position of a Minister was even subservient to that of his Secretary. In urging the absolute necessity of a separate purse for the purpose of making

the fullest provision for the starving millions of our people, the self-same ex-Minister observed with a tinge of sarcasm that " it is not the lean and hungry dog but the pampered poodle that gets the meat ".

Another ex-Minister, my esteemed friend, the leader of the National Liberals, is now spinning out of his wisdom a party of constitutionalists, bent on keeping a stable ministry. He has given us his opinion thus: " I am definitely of opinion that dyarchy has failed and the difficulties of working it will grow more and more." He is convinced of the failure of dyarchy, no doubt; but save the constitution he must, as my esteemed friend would have us believe; with the self-same object of saving it, he voted with us the last time. What has intervened to work this anomaly in his position is mysterious. But if the Hon'ble ex-Minister is intending to have any constructive work done by way of non-official Bills, he will accomplish nothing in the present atmosphere and will soon regret that it was not worth while picking up a few bits of trifling achievements here and there. May I appeal to the wisdom on which my friend takes his stand to perceive that piece-meal legislation is useless until and unless the broader issues are settled.

That dyarchy must go has been the verdict of the country after a three years' trial and it was on the clear issue and distinct political mission of ending or mending the dyarchy that many of us were returned to this Council. The Ministers are nothing but the outward symbols of the system, so that the real object behind my motion is to put an end to the system itself by doing away with its symbols. So long as the present atmosphere of bureaucratic interest pervades the system and a change of heart does not come in the Government, the Ministers must necessarily share the odium which people will rightly and naturally impute to the administration. But when an earnest change really arrives purging the system, the symbols will then be divested of their present stain and then and not till then can the Ministers hope for support.

Speculation is rife as to the probable consequences of my motion which, it is dreaded in some quarters, will be followed by His Excellency the Viceroy declaring the province of Bengal a " backward tract " under section 52A. But so far as my reading of the said section goes it cannot be applicable to the exigencies of a constitutional struggle such as we are now going through. Even assuming that the scope and intention of the said statute may be perverted so as to be applied to declare the province " a backward tract ", may I inquire in all seriousness what else is our status at present? Has the province really made any advance forward under the auspices of dyarchy, which has brought in its train an atmosphere of perfect demoralisation whereunder selfless youthful workers have been and are being arrested

and held in duress without any show of trial of justification, only with a view to crush out the real manhood of the nation; where the wishes of the legislature are flouted by the executive by a resort to their constitutional tactics of certification; and where the public life is always in danger of demoralisation at the hands of the Government? Can the apprehended declaration by His Excellency render our political life any more " backward " than it is now? But then we are threatened that in the event of such refusal of supplies or reduction in the demand below the minimum fixed by His Excellency, he will get the necessary sanction of the Secretary of State for India to convert the transferred departments into reserved subjects.

But what if all the transferred subjects are transposed to the reserved side? Only recently these departments were in the hands of His Excellency for nearly six months and the normal demands of the administration were carried on just as they used to be under the hallowed régime of the Ministers, with as much or little of progress and development in either case.

I need hardly remind the House that at this moment there hangs above us the new threat of the Muddiman Majority Report which holds a plea for the continuance of dyarchy. We could quote one of the London press opinions just received and say, " it is perfectly true that the Montfort experiment has not yet totally broken down everywhere in India but complete failure has been averted only by the exertions of those who, by the hypothesis, must increasingly discard their power. Where then is the justification for its continuance?" This sets out clearly the absolute impossibility of the bureaucrats working the experiment and tightening their power at the same time. They must discard their power or remove the Government of India Act from the Statute Book. Suppose they do their worst and the Government actually withdraws the Reforms. Then at least the mask of "Government by consent" will be torn off to reveal to the world that brute-force alone rules us in all its nakedness; and when this is accomplished the gods of Mahabharata will lead India onward to her destiny. Even the reactionary elements of the Muddiman Committee thought it wise to refrain from such a suggestion and we can hold with Lord Olivier that "the Bengal Government's plea for the consideration of the Government of India Act from the view-point of giving the executive more power to deal with obstruction is a counsel of despair."

As a matter of fact the Ministers could not do any good to their electorate, because of their anomalous position. Intrigue had to be piled on intrigue simply because the Minister knows he has no material or moral support from this House under the present condition and no limits can be assigned to the lengths to which a man so placed may be driven where his very existence is at stake. I cannot and do not blame the poor man himself,—it is the system that I blame.

Even if there be any vestige of power in the hands of the Ministers under the constitution, the loss of that farcical power is little or nothing, for in the words of John Stuart Mill, "when the object is to raise the permanent condition of a people, small means do not merely produce small effect, they produce no effect at all." We are fighting for a higher principle and a larger end and nothing short of a feast of substantial rights of citizenship—no famine rations will satisfy the politically-famished people of India.

I have only to appeal to the House to raise a unanimous voice of refusal of this item of the budget, as we have done twice in the past, particularly in view of the circumstances that followed the last refusal of this demand. The province has been subjected to a reign of terror by the promulgation of the Ordinance and its certification into law; the disappointment of the people has been aggravated by the publication of the official majority report of the Muddiman Enquiry Committee—steps sufficiently indicative of the desperate determination of the bureaucracy to give the awakening political consciousness of the people a set-back.

What should then be our duty in the midst of such an atmosphere of camouflage? Are we to allow this item of the Ministers' salary to get through smoothly, apprehending that our refusal will border upon the breaking of the constitution? I have simply to remind the House that such refusal of supplies is and has always been used as an effective constitutional weapon in the past. It was the firm popular stand on this principle "grievance before supply" that ended the autocratic excesses of Charles I and ushered in constitutional government in England. And so long as our Ministers are not raised from their present state of abject subservience to real power, our mission must continue as ever to be a complete refusal of such supplies.

In an article in the *Manchester Guardian*, Lord Olivier, dealing with the Swarajists, says that "throughout his term of office it seemed to him that British critics of the activities of the Swarajist party made a great deal too little allowance for the difficulties of a political leader in India conducting and consolidating a political movement with whose purpose and inspiration every disinterested Englishman ought to sympathise, being as they are in accordance with our spirit and officially declared aims regarding Indian policy.

If the Swarajists think that the Montford constitution is illusory they have a perfect right to refuse to vote salaries for Ministers appropriated under it ostensibly in the exercise of a responsibility which they allege is a sham."

In fine, I should like to add just one word. If things were as they should be, it would have been my proud privilege to welcome with supplies to-day the two Ministers both of whom hail from my own

district. But the glorious occasion that might have been is nothing but a painful event to-day owing to our strongest disapporval of the system which they have been invited to represent and I have to smother my pride of local patriotism for the higher consideration of duty.

With these few words I beg to repeat my appeal to the House for the rejection of the item in a chorus of emphatic disapproval.

**Maulvi SAYEDUL HOQUE:** In supporting this motion I say to-day what I said last year this time. I and all members of this House distinctly remember that we had Babu Satyendra Chandra Mitra and Babu Anilbaran Ray that day in the midst of us, but to-day we feel their absence very keenly, and shame ought to overtake us when we see our tongues out watering to taste the disgraceful loaves of that bureaucracy which without charge and without trial snatched them and many others away from their friends and fields of activity. We hear of heroes who would prefer to give up their lives than to give up their rights. But lo,—what love we possess for personal liberty and country's freedom!

Then Ministry, sweet Ministry, I do not find words to describe you properly. How sweet, charming you are to many. You have entrapped many. You have arrested the progress of many political heroes who but for you would have fought the battle well and won the golden fleece. O Ministry! how wonderfully you change your colours—now a Muhammadan Ministry, then a Hindu Ministry, again a combination of both. Trap right, trap left, trap on all sides; sweet 64 thousands with an official grandeur is the alluring thing. O Ministry! you have one almighty power—you place the Ministers between Scylla and Charybdis—His Excellency the Governor and the Secretaries—you change the substance into a shadow and give that shadow the voice of an echo—echoing and re-echoing the master's voice.

These are the words and I know how feeble they are to express the depth of feeling which runs through the veins when one can realise what hard game had been fought, and at what huge cost, to change the results of the battle for swaraj by this fascinating game of Ministry.

Nobody is against Ministers, but how can one be in favour of a shadow, a mechanism, a convention, pure and simple; and a deception after all. Proofs are not wanting. Evidence before the Muddiman Committee by the ex-Ministers lie exposed. They must have reached the eyes or ears but not the hearts because the hearts are kept coated by malice, personal feelings of many, bidding the noble things to wait outside and to depart. "Self" is a thing which can disregard and disregard without shame, many virtues.

Now, co-operation; we are seeking co-operation with the Government, but the latter are responsible for putting obstacles between. All certifications, black Ordinance and country's honour on one side and

Government's sweet will on the other. We are like so many shameless creatures stealthily roaming and eagerly waiting for loaves and fishes, disgracefully chewing the head of our country's honour. Self-restraint and self-determination should be the first virtue in a nation which has engaged itself to win the salvation and to keep itself safe from all exploitation, political or economical. The question of compromise ought to come from the stronger party. If, however, any proposal, just and sound, is put forth by the weaker party and if that also is denied, then with what face can we consent to co-operate when the heart burns from within. Proposals after proposals met the same fate of neglect. How can one shoulder any responsibility when distrust and disbelief is the ruling principle? We are denied finance, we are denied important departments. Education is transferred. Are we thought able or responsible enough to conduct the education of European and Anglo-Indian boys? This presupposition of inability ought to rouse the sense of national honour.

My last point is it is a constitutional fight. When co-operation is barred and when the hand of the bureaucracy is to be forced to yield, all who wish to further the cause of national advance should rally round this banner and give an earnest fight.

I formally move that the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred) Pay of officers 2 Ministers" be reduced by Rs. 1,27,998.

**Dr. KUMUD SANKAR RAY:** In rising to support the main motion before the House, I do not want to make a long speech in support of it, firstly because this motion is not a new one before the House, and the merits of the question put forth either for or against it were discussed at great length in the previous sessions of the Council, and we all know that dyarchy has been condemned by all sections of political opinion in the country and in spite of this the Government have disregarded the feelings of the country and tried to force it down the unwilling throats of the representatives of the people, and not once, but twice have the Council manfully refused to vote the Ministers' salaries *in toto* to show their disapproval of dyarchy.

In supporting this motion I appeal to the members of the House not to bring personal considerations to bear on the matter, because it is not a personal question, and not to be moved by the frowns or favours promised by Government, in deciding the subject.

I formally move that the demand of Rs. 1,28,000 under the head "22E.—Ministers Pay of Ministers" be reduced by Rs. 1,27,996.

**Dr. J. M. DAS GUPTA:** I associate myself with the remarks of my colleagues. I do not wish to make a speech.

**Maulvi WAHED HOSSAIN:** I associate myself with the remarks *of my colleagues.*

**Mr. J. M. SEN GUPTA:** After the speech of Babu Nalinikanjan Sarker I did not think it was necessary for any one of us on this side of the House to make any speech in support of his motion but it appears that there have been certain charges made against the Swarajya party and others who voted down the salaries of the Ministers on the last two occasions, and it is necessary that a clear answer should be given to these charges. At the very outset I would like to make it perfectly clear that so far as we are concerned, in supporting this motion for the total refusal of the salaries of the present Ministers we are not actuated by any communal or party question. During the last year, from time to time, suggestions had been made in the press, and I believe, even by some members of this House in the corridors and in the lobby that those who supported the motion for the refusal of the Ministers' salaries when Mr. Fazl-ul Huq and Mr. Ghuznavi were Ministers, were actuated by the feeling that both the Ministers were Muhammadans and not one of them was a Hindu. Sir, does it require any speech from this side of the House to refute that proposition—that charge—to show that it was a deliberate lie developed, and invented for the purpose of catching votes. Mr. Surendra Nath Mallik, who was a full-fledged Minister, was unseated by a Swarajist, Mr. S. N. Haldar, on the specific question whether we wanted to run dyarchy or not. Was Mr Surendra Nath Mallik a Muhammadan? Sir Surendranath Banerjea, I have no doubt, would have been summoned by His Excellency to form a new Ministry if he were re-elected, but who does not know that Dr Bidhan Chandra Roy fought his election on the express issue whether we wanted dyarchy or not. Was Sir Surendranath a Muhammadan? What happened to Mr. S. R. Das? I admit he was not a Minister but he was much above a Minister, he was a Minister maker, he was defeated at the polls by Babu Satcowripati Roy by an overwhelming majority. If any further proofs are necessary to refute the charge that the Swarajists were actuated by any communal feeling, I would ask the House only to remember the motion which I am just now supporting. Can any one suggest that the Hon'ble Raja of Santosh is a Muhammadan? Sir, the real point is that those people who charge us with such low feeling are themselves guilty of it. The Hon'ble Nawab who is now sitting in the Minister's chair, if he had not absented himself on the last occasion and voted for the Government I doubt not that there would have been a tie and you would have given your casting vote against us.

**Mr. PRESIDENT:** Mr. Sen Gupta you cannot use the words "no doubt" about what would have occurred in such an event nor can you suggest what I should have done. I hope you will withdraw the words.

**Mr. J. M. SEN GUPTA:** I withdraw that. You, Sir, might have voted with us even though there had been a tie and the Nawab Bahadur had come here and not absented himself and voted for the two Muhammadan Ministers. But if Mr. Altaf Ali also had gone and voted in the Government lobby and not thrown out the salary of the two Ministers, the President's vote would not have been necessary to defeat us. How does it lie in the mouths of those who are supporting the present Ministry to say that we threw out the Muhammadan Ministers in order to get a Hindu Minister? Having disposed of this false charge against us——

**Maulvi MD. NURUL HUQ CHAUDHURY:** Malicious charge.

**Mr. J. M. SEN GUPTA:** I propose to deal with a new one. It is alleged that in fighting this dyarchy, in attempting to kill this system, we are following an evil genius. It is alleged that our whole principle of non-co-operation and obstruction in the Council is based on hatred. I ask those who have supported the policy of British rule in India for a century and a half what answer they would give to the charge that I make that the policy has been a policy of hateful non-co-operation with the children of the soil? There are various services in India, namely, the Indian Civil Service, the Indian Medical Service, the Indian Educational Service, the Indian Police Service, the Indian Forest Service and so on and so forth, and all of them are called "Indian" but until recently all these Services examinations were held in England and recruitment for those Services was also made in England, and for the poor little natives of India there were the subordinate executive service, the subordinate judicial service and so forth and so on. Every one in Bengal knows how difficult it was for Sir Jagadish Chandra Bose to get himself into the Imperial Educational Service, and how difficult it was for Sir P. C. Ray to be counted among the favoured lot, although raw and callow youths with third-class degrees from third-class universities of England were put on the top of gentlemen like Sir Jagadish Chandra Bose and Sir P. C. Ray, admittedly two of the greatest scientists of the world. That is the position; that has been the policy followed throughout. Only the other day I was told in Alipore that a Sessions Judge sitting in a Sessions Court, when an application was made before him for probate of a will, said that he did not know what the word "probate" meant. Here was a man who was sitting to hear appeals from hoary-headed Sub-Judges—Indians who could teach the Sessions Judge law for at least 15 years or more. That is the policy that has been followed. All the Indian Services Examinations were held in England and recruitment was also made in England and until recently Government did not give in on that point. In all the spheres of life this policy has been followed. I ask every one of you, every member of this House, whether he be an Englishman or an Indian to visualise

before his eyes perhaps one incident, perhaps many, how an Englishman would treat an Indian either in a railway compartment or in a tram-car or on board a steamer or in a social club or even in the streets and you will know what sort of policy England has been following in India. It does not lie——

**Mr. E. VILLIERS:** I rise to a point of order. May I know what the policy of these hoary-headed gentlemen in tram-cars has got to do with the Ministers' salaries?

**Mr. PRESIDENT:** I do not think the member is going beyond the point. Although he is rather near the limit, I think he has not got quite outside it. He is attacking the whole principle, the whole policy underlying the reforms. Is not that so, Mr. Sen Gupta?

**Mr. J. M. SEN GUPTA:** It is quite so. It surely does not lie in the mouths of those who support this policy and who are still supporting the present policy in India to charge us with fomenting hatred between the communities just because in your present mood it pleases you to plead a pretence of goodwill. There cannot be any goodwill, I tell the members of the House sitting opposite, without equality. What you mean by goodwill is race arrogance on the one side and subservience and submission on the other. During the last 21 years of my life I have come into intimate social connection with Englishmen both in England and in India. That experience has revealed to me that there cannot be a better friend than an Englishman. He is the best of "pals" who will never let his friend down. While loving my English friends I despise the English bureaucrats in this country. While loving the Englishmen we cannot help disliking England for what she stands for politically to the world in general, and to Ireland, to Egypt and to India in particular. She delights in despising us as a superstitious race.

**Mr. PRESIDENT:** I think you are now going outside the point. I heard you mentioning Egypt and Ireland. You should not discuss the foreign policy of England in regard to India or any other country.

**Mr. J. M. SEN GUPTA:** I am just illustrating my point. I am referring to the policy that she has all along followed with regard to all parts of the Empire where she feels she needs consolidating her own powers at the expense of the inhabitants of the country. The charge is generally made that we are a superstitious race but the greatest superstition of the English people is their Empire—that narrow idea of British empire where England reigns supreme and the inhabitants of the distant places of the empire are mere under-dogs.

One word more and I shall bring my address to a close. The Government of Bengal are asking us to-day to co-operate with them.

Let us see how they have co-operated with us. When His Excellency was in this Council Chamber on the last occasion he extended his both hands to us.

**Maulvi MD. NURUL HUQ CHAUDHURY:** In comradeship.

**Mr. J. M. SEN GUPTA:** So that we might do certain good things for our country, but while he was extending his both hands to us he had already written to the Muddiman Committee in this way.

**Mr. PRESIDENT:** You cannot refer to His Excellency personally.

**Mr. J. M. SEN GUPTA:** I mean His Excellency in Council. He had written in this way:

It is not therefore unlikely that at the next general election there will be a return of an absolute swaraj majority which may take office with the avowed intention of wrecking the Government from within. The constitution, therefore, requires to be specially considered from the point of view of giving the executive power to deal with obstruction. Apart from certain alterations to meet difficulties in the working of the Act and the rules the Governor-in-Council would strongly oppose any attempt to modify the constitution or to alter the existing arrangements as regards reserved and transferred subjects.

I have read this passage and now leave the Council to judge of the present Government who have asked us to co-operate with them.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,28,000 under the head "22E - Ministers Pay of Officers 2 Ministers" be reduced by Rs. 1,27,800.

The English translation of his speech is as follows:—

As I am an inhabitant of the village, I usually give more prominence to the village in my speeches and shall continue to give it. How can those who live in palaces understand the situation of a man of the village? Everybody thinks of his fellows in his own terms. A happy wealthy man living in a spacious house finds it difficult to appreciate the difficulties of a poor man of the village by the virtue of his advantageous position. What has the Reforms Act done? It has simply increased expenditure. At first Bengal had only a Lieutenant-Governor; then she got a Governor-in-Council. Though the Act gave the control over the salaries of the Ministers to us, the outstanding defect of it is that their appointment rests in the hands of the Governor. We cannot expect, therefore, any independent conscientious action from them. Government was previously run without Ministers in the same manner and any improvement which the Reforms Act may be said to have introduced in the system by providing for Ministers, remains fully open to question. We did not have any Minister since August last, when the Ministers' salaries resolution was again thrown out. Has

there been any deadlock in Government for that reason? A lot of money was saved during the last few months as the result of the adverse vote on the Ministers' salaries. If this amount and also the money which we shall be able to save by again throwing out the demand for their salaries can be spent to meet the charges in respect to the vital needs of the rural people, they will certainly receive more benefit than they have been receiving under the Reforms.

It is for this reason that I have unhesitatingly given notice of a motion for the reduction of the Ministerial salaries and similar other motions for reduction in case the first is negatived. If the work of the district boards, etc., can be done by honorary Chairmen, etc., cannot men be found to act as Ministers without pay? Last year I moved a number of motions for the reduction of the Ministers' salaries, drawing attention to the comparatively smaller salaries of Ministers and other high Government officials in Japan and other civilised countries.

On the former occasion the voting for the Ministerial salaries was a matter for consideration by us as all the responsibilities of the transferred departments were divided between two Muslim Ministers. The prospect of the progress of the Muslims was a matter demanding our attention and our help, for its realisation. On the present occasion there is no reason for difference of opinion as there is only one Muslim Minister. In fact, I observed neutrality on the last occasion, being unable to make up my mind because there was one party which asked for my vote on the ground that the Ministers were Muslims while the other party insisted that there should be no voting on the side of the Ministers. Later, I gave up my neutrality in view of the work of the Muddiman Committee and on the assurance of Deshbandhu C. R. Das who said that the rejection of the salaries of the Ministers would help to bring in provincial autonomy. There were many rumours afloat this year also. If any of these had materialised or even Government had given the Muslims a bigger share, we might have taken the matter into consideration. But there is no occasion for it.

It is a misfortune for our country that rules are being made to provide salaries for posts for which there may be found men ready to serve without any salaries. Another funny thing is that repeated appeals are made to prestige for enhancement of salaries. But what has pay got to do with prestige? The Hon'ble President of this Council gets a smaller salary than any member of the Executive Council, but does not greater prestige attach to the post of President? The President of the Assam Provincial Council gets Rs. 500 per month, but there are many men in that Council getting higher salaries and there are even many Deputy Collectors who get more than Rs. 500. It is certain, therefore, that a smaller salary does not lower the dignity of a post. We have no control over the salaries of the Indian Civil Service and so we are helpless there. But why should we refrain from setting

a good example even in cases within our control? Are food-stuffs and other goods cheaper in Japan and other countries where the salaries of Government officials are much lower?

**Babu KHAGENDRA NATH GANGULY** moved that the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred)—Pay of Ministers" be reduced by Rs. 1,25,000.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,28,000 under the head "22E. Ministers Pay of Officers 2 Ministers" be reduced by Rs. 1,04,000.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 92,000.

**Maulvi KADER BAKSH:** I rise to support the motion which has just been moved for total refusal of the Minister's salaries and in doing so I want to make my position and also the position of the Muhammadan members of the Swaraj party clear. Charges have been levelled against the Muhammadan members on this side of the House by our friends opposite I mean the Moderate Muhammadan party members that we are not looking to the interests of the community when we vote against the Ministers' salaries. Sir, my first reason for the refusal of the salaries is that we have no faith in the present system of dyarchy and the unanimous opinion of the country has in no uncertain terms condemned the "creaking dyarchy". Witness after witness before the Muddiman Committee most clearly exposed the defects of the principle and showed that dyarchy was in essence merely strengthening the hands of the bureaucracy. The Council has become a farce because on account of the presence of dyarchy, it has given an opportunity to place-hunters to parade their ultra-loyalism to Government and mislead them about the real opinion of the country. We are tired of positions of splendid irresponsibility, we do not want these golden chains to tie us to the wheels of an irresponsible Government. The politics of this country have degenerated into a gamble. Government drugs the sense of reasonable men by dangling before them the gilt and tinsel of office. I am sure every one will admit that the entire energies of every Councillor are centred on being Ministers, who do nothing, can do nothing, and are paid the country's money for that. I need hardly say that under the present system and constitution it is absolutely impossible for a Minister, however honest, well-intentioned, intelligent and strong he may be to do anything for the betterment of the condition of the people at large and I am led to believe that he has got almost no more functions to discharge than just to pay the salaries of officers appointed to run the departments concerned. Sir, these officers have been responsible for much mischief,

for much corruption of our political morality and common sense demands that we should abolish them. My second reason is that the Government of India Act has given absolute power to His Excellency the Governor in appointing Ministers. I have been told that Ministers are selected in utter disregard of the opinion of even those who support the constitution. Of the two Ministers, one has succeeded to a post that he helped in a way to destroy and the other comes to us with an absolutely clean slate so far as his public activities are concerned; of these two honourable gentlemen one has a past and the other has a future to make and it is taxing the patience of the Council to ask it to support such men. The country or at least the educated section considers it a huge joke when it finds that the Education portfolio has been deliberately placed in charge of a gentleman of whose educational attainments the less said the better.

**Mr. PRESIDENT:** Order, order. I don't think you should make a remark like that.

**Maulvi KADER BAKSH:** I believe that it would be an insult to our sense of honour, sense of responsibility and judgment when we are asked to support a constitution which has given such absolute power in the hands of the Governor in the appointment of Ministers. If there had been men in these posts about whose judgment and independence we had some confidence, we may have hesitated, but Ministers who pander to the whims of a Government and sell their soul for a gilded position deserve to be thrown out. With these words I support the motion for the refusal of the Ministers' salaries.

I formally move that the demand of Rs. 1,28,000 under the head "22E. Ministers—Pay of Ministers" be reduced by Rs. 80,000.

**Mr. PRESIDENT:** Under section 40, Tarak Babu, you can only support the motion as it is identical with yours.

**Babu TARAKNATH MUKEHJEA:** Yes, Sir, I support it formally.

**Maulvi ABDUR RASCHID KHAN:** I move formally that the demand of Rs. 1,28,000 under the head "22E. Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 60,000.

**Kumar SHIB SHEKHARESWAR RAY:** I move that the demand of Rs. 1,28,000 under the head "22E. General Administration—Ministers—Pay of 2 Ministers" be reduced by Rs. 56,100.

In moving my motion I have three distinct objects in view.

The first one is to put an effective check on the extravagant waste in our administration, for I think, Sir, that the maximum limit of a Minister's salary in Bengal can be fixed at Rs. 3,000 a month. I know, Sir, that many eminent men of our country at one time did press for

a salary equal to that paid to an Executive Councillor. That was because they thought that if a lower salary was fixed by statute, it might also mean a lowering of status. But when that fixing of a Minister's salary has been left to us, the popular representatives, and not imposed upon us by some higher authority, it is our duty so to fix it as to make it consistent with the conditions prevailing in the country as also with the dignity and respectability of an honest gentleman eager not to amass but to serve his country; and we think that for a patriotic Indian, however efficient and respectable he might be, a sum of Rs. 3,000 a month is quite sufficient for the purpose.

Sir, my second object is more important and it is for this that I propose a further nominal reduction. This is to record our most emphatic and respectful—for respectful it has got to be—protest against the unconstitutional attempt that was made the other day by the Hon'ble Sir Hugh Stephenson to interfere with the undisputed right of the legislature in the matter of fixing an adequate salary for our Ministers. A sort of threat has been held out that His Excellency the Governor will proceed to declare a province like Bengal, a backward tract if we were to fix a salary of less than Rs. 3,000 a month. Sir, a more blatantly unconstitutional, a more arbitrary and ridiculous exhibition of an autocratic temperament could hardly be conceived. But perhaps we forget that an autocratic administration knows no law, nor can constitution and convention regulate the jaunt of its hobby horse. Nonetheless we cannot with equanimity look on this sickening play with our rights and privileges, however little they might be. And, Sir, as we have not lost all confidence in the instinctive regard of the British people for law and constitution, rudely shocked though we might have been lately, I venture to challenge the propriety of this threat.

Now, Sir, the third and the last object of my motion is to give expression to our want of confidence in the new Ministry. I have, therefore, proposed a nominal cut of Rs. 100 to what I consider to be an adequate salary for our Ministers. This, however, does not preclude the nationalist party from supporting any other motion for expressing want of confidence, proposing even a wholesale rejection, for, Sir, we do hold the opinion that there is nothing unconstitutional in such a procedure and that a total rejection of the demand for the salary of Ministers who do not enjoy our confidence, cannot by any means be taken as tantamount to our opposition to the institution of Ministers, for, Sir, it is always possible for any set of popular Ministers to bring up a supplementary demand for their salary. But, Sir, at the same time a wholesale rejection of the entire demand may once more lead to a purposefully meaningless misinterpretation of our intention and may thus give a convenient loophole to usher in another year of one-man rule in the nation-building departments of our country. But

perhaps an emphatic vindication of our constitutional rights is far preferable to the ephemeral inconvenience caused by an arbitrary action of the autocratic authority.

Now, Sir, in giving expression to our want of confidence in the new Ministry, permit me to declare at once that it has got nothing to do with the personalities of the present Ministers. For, Sir, both the Ministers are honourable men, honoured by the Government and it is also said that they are both capable administrators. The Nawab Sahib is an acknowledged authority on education and so is the Raja Sahib on excise matters, I mean *ganja* and so forth. Both of them are held in high esteem by their respective communities; and coming as they do from the class which it is my special privilege to represent in this Council, namely, zemindars of Bengal, personally, it is a matter of considerable pride and pleasure to me that the selection has fallen on them. If, therefore, I have joined in this unpleasant task of expressing our want of confidence in them, it is in pursuance of a higher call of public duty which is above all personal and communal considerations. Sir, the present Ministers do not commend our confidence, because they have accepted office in defiance of popular opinion in the country. I however admit, Sir, that popular opinion is not unanimous in the matter. There is, of course, a powerful party in this Council which represents a considerable section of popular opinion, that is, for obstruction pure and simple. Rightly or wrongly, they are of opinion that the whole fabric of the present administrative system must be pulled down before any attempt could be made to build up a popular system of administration. But they constitute only a third of the total elected members of this Council, and barring a few to whom individual, communal or special interests are the dearest, the rest of the members here represent a majority of our countrymen who, while admitting the drawbacks and insisting on their removal, are generally agreed that the Government of India Act provides at least some opportunities to render useful service to the country, and that by creating precedents and setting up conventions, it is possible to consolidate our position and qualify for and actually secure an honourable realisation of swaraj without causing undue irritation to the Ruling Power. There may be differences among the various groups here regarding their *modus operandi*, but the difference is only one of degree, the guiding principle being the same.

It was undoubtedly the appreciation of this fact which led Mr. Chakravarti to declare on the 17th February that a stable Ministry was possible under certain conditions, and he was prepared to support any Ministry which insisted on those conditions. Sir, there was nothing unconstitutional regarding those conditions. If you want that the Ministry should command the confidence of the country as well, it is essential that those conditions should be fulfilled by the authorities. If I may be permitted to let out a secret, allow me to

state that the conditions were actually drawn up by Sir Provash Chunder Mitter, the leader of the Liberals in this Council. Sir, the first condition was that the Ministry should be formed with a collective responsibility as opposed to a Ministry chosen in a haphazard fashion——

**Babu DEBI PROSAD KHAITAN:** On a point of order, Sir, is my hon'ble friend in order in disclosing in this Council the conditions confidentially prepared by my party and submitted to His Excellency in confidence?

**Mr. PRESIDENT:** I have no knowledge of any of these circumstances. I took it for granted that the Kumar Sahib was quoting from a paper which was more or less public property.

**Kumar SHIB SHEKHARESWAR RAY:** I am afraid that my friend Mr. Khaitan was either not present on the 17th February, or his memory is short. I am only quoting what Mr. Chakravarti declared the other day on the 17th in open Council. There is nothing confidential in it.

**Mr. PRESIDENT:** Kumar Sahib, what I believe Mr. Khaitan is referring to is your statement that some of the conditions you were reading out, were said by you to have been drawn up by Sir Provash Chunder Mitter. I do not know anything about these conditions or the circumstances under which they were drawn up.

**Kumar SHIB SHEKHARESWAR RAY:** I see, Sir, one of the Moderate party is finding his place too hot. Having once sided with the Nationalists. However, I will not refer to their connection.

Allow me now to proceed to show that we are absolutely within our constitutional rights to make this condition. The Royal Instructions to the Governor are clearly suggestive on the point We find there enjoined on the Governor—

you shall further the purposes of the said Act to the end that the institutions and methods of Government therein provided shall be laid upon the best and surest foundations, that the people of the said Presidency shall acquire such habits of political action and respect, such conventions as will best and soonest fit them for self-government

This point has been further elucidated in the Report of the Joint Parliamentary Select Committee. Thus says the Report: "They (the Committee) think that it should be recognized from the commencement that Ministers may be expected to act in concert together. They would probably do so; and in the opinion of the Committee it is better that they should."

Sir, dyarchy by itself is admitted on all sides to be a defective system of administration, but without a joint responsibility of Ministers

you only foster dyarchy within dyarchy, and help to create a more hopeless tangle. Sir, Mr. Chakravarti's first condition only sought to put a stop to this possibility.

The next condition put forward by him was that an atmosphere would have to be created so that a stable Ministry could be formed allowing the Ministers full scope for the realization of their responsibility to the Council. There was nothing immodest or extravagant in this demand, for, Sir, these are the instructions which were issued to the Governor under the Royal Sign Manual:

> You shall bear in mind that it is necessary and expedient that those now and hereafter to be enfranchised shall appreciate the duties, responsibilities and advantages which spring from the privilege of enfranchisement, that is to say, that those who exercise the power henceforward entrusted to them of returning representatives to the Legislative Council being enabled to perceive the effects of their choice of a representative and that those who are returned to the Council being enabled to perceive the effects of their votes given therein, shall come to look for the redress of their grievances and the improvement of their condition to the working representative institutions
>
> You shall encourage the habit of joint deliberation between yourself, your Councillors and your Ministers in order that the experience of your official advisers may be at the disposal of your Ministers, and that the knowledge of your Ministers as to the wishes of the people may be at the disposal of your Councillors
>
> In considering a Minister's advice and deciding whether or not there is sufficient cause in any case to dissent from his opinion, you shall have due regard to his relations with the Legislative Council, and to the wishes of the people of the Presidency as expressed by their representatives therein

I may now refer to the recial repressive measure that has been passed by the certificate procedure in the teeth of the popular representatives here. Well, Sir, if this be not dashing to the ground all their hopes to quote the words of His Gracious Majesty, "to look for the redress of their grievances and improvement of their condition, to the working of representative institutions", I do not know what else this attitude of the local Government can be called. Sir, the demand was for the creation of an atmosphere in which in the words of the Royal Instructions "due regard shall be paid to the Ministers' relations with the Legislative Council, and to the wishes of the people of the Presidency as expressed by their representatives therein".

Now, Sir, can any Minister seriously expect to enjoy our confidence, who instead of constitutionally insisting on a favourable consideration of the grievances of his countrymen, entered into an unseemly scramble for the sweets of office in utter disregard of his country's honour, and in absolute defiance of the popular feeling? Was it to accommodate these honourable gentlemen, that we turned down our former Ministers? Surely, Sir, they were in no way less efficient or less estimable than these gentlemen who have hastened to step into their shoes on the same humiliating conditions.

Such men, however honourable and however efficient, are enemies of their Motherland. It is they who are tarnishing the fair fame of Mother Bengal, it is they who are dragging the dignity of their exalted position to the dust-bin. Can any member of this Council, whatever might be his political creed, if he only loves his Motherland, permit her face to be thus darkened by men who know themselves alone and not their country nor their countrymen?

[At this stage the Council was adjourned for 10 minutes.]

After the adjournment.

**Rai HARENDRANATH CHAUDHURI:** I move that the demand of Rs. 1,28,000 under the head "22E. Ministers (Transferred)—Pay of 2 Ministers" be reduced by Rs. 56,024.

I am one of those who supported in the last Council a motion for fixing the Minister's salary at Rs. 3,000 per head per month. I think I ought to explain therefore why I am going to move such an amendment—an amendment to fix the Minister's salary at Rs. 2,999 per head per month this time. Let me frankly admit at the outset that it is the Government attitude and the recent statement to the press which has driven me to do it. After the said *ukase* after the said challenge that any attempt to fix the Minister's salary at any figure less than Rs. 3,000 per month will be arbitrarily construed in a certain way. I feel I shall be giving away a constitutional right and privilege if I do not insist on having the Minister's salary fixed at something may be a rupee less than three thousand rupees. Every self-respecting citizen, every representative of the nation ought not mutely to suffer his constitutional right to be arbitrarily infringed in this way at the sweet will and pleasure of an irresponsible executive. Section 52(1) of the Government of India Act says: "There may be paid to any Minister so appointed in any province the same salary as is payable to a member of the Executive Council in that province unless a smaller salary is provided by vote of the Legislative Council of the province", and there is no limit to the Council's right to vote a smaller salary. But the Executive Government has been pleased to announce that it must have a salary of their choice fixed for the Ministers by the Legislative Council and if the Legislative Council be bold enough not to agree to the wishes of the Executive Government in this matter and fix the Minister's salary as demanded by the Executive Government, *i.e.*, within such limits as are permitted by them and at their pleasure, then—woe betide Bengal the Reforms shall be withdrawn from this province, *i.e.*, the fiat has gone forth that if we dare to stand by our constitutional right and privilege and propose such a salary as, for example, was drawn by the late Hon'ble Mr. Bhupendra Nath Basu as a member of the Secretary of State's Council, viz., £ 1,200 a year or was drawn by Lord Sinha as the Under-Secretary for

State for India, then we shall be deprived of the "boon" of Reforms. What then the so-called constitution is reduced to if not to the caprice of somebody, who arrogates to himself a supra-constitutional position? Louis XVI said, "It is legal because I wish it",—the variant here is "it is constitutional because I desire the limit". My friends of the pre-reform Moderate and post-reform liberal party who love to swear by the constitution, will they now muster courage to stand by it? Will Sir P. C. Mitter, who once announced that he would not put up with any violation of the constitution from any quarter now submit to this?

Now a word about the threat—the threat of taking action under section 6 of the Devolution Rules and re-transferring the transferred subjects. Does anybody propose to refuse the total demand for the Ministers' salary? Well action will be taken under section 6 of the Devolution Rules. Does anybody propose to pay the Ministers a salary less than that determined by their employer—well there is the section 6 and action will be taken under it? We think, Sir, that time is not distant when appropriating the whole of the provincial revenue for the reserved subjects the bureaucracy will come forward and say: run the transferred departments by fresh taxation and unless you agree to do the same well action will be taken under section 6. Will my friends opposite agree to do so just to save the Reforms from an arbitrary withdrawal? I pause for reply.

As regards the question of the formation of Ministry we made our position perfectly clear in the course of the discussion on Sir Abd-ur-Rahim's resolution on the 17th February last. In supporting our party amendment to Sir Abd-ur-Rahim's resolution we observed: "The Government wants to separate issues—we also on our part are anxious to separate more important issues involved in the question. The Government wants a clear answer to the question whether there should be any Ministers at all. We on our part refuse to answer such a bald question before the other more important question is answered, viz., whether the Government wants a stable Ministry or rather a show of Ministry."

We further observed: "To provide for Ministers' salary and form a Ministry and not to ensure its success" after "exploring the circumstances in which a stable ministry"—a Ministry that will be able to discharge its responsibility and inspire the confidence of the country—"can be formed, is simply to pretend and not to give any proof of a sincere desire to uphold the constitution."

Our leader has further made it clear that though we do not refuse to work the dyarchy as a transitional measure we can agree too work it only on certain conditions, *i.e.*, only if a Ministry is formed and not several Ministers with individual responsibility are appointed—and

only if adequate funds are provided for the transferred departments and they are not starved on all possible pleas and pretexts and further, what is very important, a proper atmosphere is created in which a popular Ministry can be worked with popular sympathy and approbation. Our leader again very forcibly put it by saying that a Ministry should be formed only if scope is allowed to the ministers for the realization of their responsibility to an elected legislature. As the Government has not seen its way to accept our amendment, and what is more has not made any serious attempt to explore the circumstances and conditions in which a stable Ministry can at all be formed and worked, we do not see how we can change our position. When we are not aware, Sir, on what principle the present Ministers have been appointed and on what conditions, if any they have accepted the responsibilities of their office we are not justified in assuming that their appointment and acceptance of office mean any departure from the old practice—any recognition of any new principle different from that on which the last Ministry was formed. The Government may consider that all that is required to form a stable Ministry is only such a number of supporters as will, with the official and European votes, secure a majority over the Swarajist *cum* Nationalist opposition but far from considering such a got-up majority as the only real condition of a stable Ministry we shall consider such Ministers propped up by the bureaucracy as the very negation of all responsible government or even the show of it. The policy which must guide the transferred departments in such a case will at least be a policy dictated by the executive Government and approved by the European block and not a policy which has the sanction of the nation behind it. We shall, therefore, lend no manner of support to such a Ministry ignoring the spirit of the constitution provided by the Government of India Act and disregarding the best interests of the country which must be different from those of the bureaucracy its agents and nominees, allies and supporters.

Now about the *personnel*. When the last Ministers, Sir, were still continuing in office and the Nawab Sahib's period of eclipse was not yet over he unburdened himself thus in his memorandum to the Muddiman Committee. "If at the next session of the Council, the Government is defeated over the Ministers' salary the Ministers will have to resign and all the chances are that no Ministry with a stabler position than the present one can be formed." "Even if the Ministry is saved by say three or four votes, it could not be desirable to prop up the Ministers mainly with official and nominated votes and I should doubt if the Ministers who have so gallantly fought for their position would care to continue any longer in office in those circumstances." I do not know whether Nawab Sahib is yet prepared to stand by those remarks but certainly he made a correct estimate of the constitutional

*position of such a Ministry when he wrote: "The spectacle of Ministers without a majority in the Council which alone would enable them to assert their authority vis-a-vis the Governor and the permanent officials and at the joint meeting of the Government . . . . . is most unedifying"*—and I should add unconstitutional if the spirit of the constitution be worth anything.

Besides this, there are other considerations on which we should ask the Council to carry this motion, which should be deemed a motion for no confidence as well in the present Ministers. I have nothing but regard for Nawab Sahib's personality but knowing his political opinions I venture to think that he is not a progressive politician. In his aforesaid evidence before the Muddiman Committee he observed:—

> What I suggest therefore is, that the Government should proclaim in the clearest and most emphatic manner possible that no further amendment of the constitution will be made at present except what is necessary for absolutely separating the administration of the transferred from that of the reserved subjects.

After this can we afford to have him as our spokesman in the Cabinet diametrically opposed as his views are even to those of minority of the Muddiman Committee? Does he not differ from the majority of members of the Council on very vital questions? When the questions of the release of political prisoners came up before the Council a few months ago Nawab Sahib was one of the few elected members who voted with the Government. Again he voted with the Government against the overwhelming majority of the elected members when the Ordinance Bill was introduced in the Council. Provincial autonomy the country wants, but Nawab Sahib has no sympathy even for the demand for the transference of more subjects vote as he did against Dr. Banerjea's resolution. How can we then consider Nawab Sahib a truer representative of the public cause than Messrs. Fazl-ul Huq and Ghuznavi? How can any one who voted against them, *i.e.*, Messrs. Fazl-ul Huq and Ghuznavi, can now come forward to support Nawab Sahib and the present Ministry I for myself cannot understand.

**Babu NALINIRANJAN SARKER:** I move that the demand of Rs. 1,28,000 under the head "22E. Ministers- Pay of Officers 2 Ministers" be reduced by Rs. 56,002.

The following motion was called but not moved:—

**Dr. J. M. DAS GUPTA:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred)—Pay of Ministers" be reduced by Rs. 56,000-6.

**Babu AMULYA DHONE ADDY:** The question which is before us is as to whether we should have a Ministry or not—whether we should

have the present system of dyarchy or not, I am personally of opinion that the present system of dyarchy is a defective one; and the sooner these defects are remedied, the better. At the same time I must say that we should make a representation to the said effect to the Government and as the Government of India Act is going to be amended at an early date, this is the proper time to make such a representation. But that is no reason as to why we should do away with the present Ministry. Sir, it is only on the 17th February last on the motion of the Hon'ble Sir Abd-ur-Rahim that this Council resolved that provision should be made in the Budget for the salary of Ministers and the resolution was carried by this Council by an overwhelming majority. Therefore, Sir, we would be in consistent with our principle if we are swayed to and fro at every gush of wind. We should not only see that the present Ministry is continued, but also unhesitatingly sanction an adequate salary for the Ministers. Now, Sir, what would be the result if the demand for the salary of Ministers is not carried. The result can better be imagined than described. It would be disastrous. These transferred departments will be re-transferred to His Excellency and they will be administered not by the representatives of our people but by the Hon'ble Members of the Executive Council over whom we have no control whatsoever. I ask you in all seriousness—is it desirable—is it just—is it consistent with our declared policy to see the above departments re-transferred to the reserved side? We shall not be allowed to put any question on any transferred subject, nor shall we be allowed to move any resolution on those subjects not to speak of moving for the introduction of any private Bill on the transferred subjects which include, among others, primary and technical education, Local Self-Government, Agriculture, Public Works and the development of industry. Now, these are the subjects which are really for the administration of the nation-building departments and I say that if we are not allowed to make any representation in these matters—if we are not allowed to have any voice in the administration of the nation-building departments, then the sooner this Council is dissolved, the better.

Sir, it has been said times without number that these so-called Ministers are nothing but mere puppets in the hands of His Excellency and of their respective Secretaries. This is not a fact and it is just the opposite of truth. Now let us see what the ex-Minister, Sir Surendranath Banerjea has said,—I am referring to his note which appeared in a leading newspaper of Calcutta a few weeks ago—that Ministers have real and substantial power over the departments of the transferred subjects provided they chose to exercise it and that they are not mere puppets as alleged. Further under section 52 of the Government of India Act the Governor is bound to be guided by the advice of his Ministry.

I now come to the question of pay of the Ministers. To my mind the salary of the Ministers should not exceed Rs. 4,000 and should not on any account be less than Rs. 3,000 a month. The pay of Secretaries to Ministers is fixed at Rs. 2,750 a month. Therefore it is not consistent that the pay of Ministers should be less than Rs. 3,000 a month. It appears from a letter which I have received from the Secretary of the Burma Legislative Council that the pay of Ministers of that Province has been fixed at Rs. 5,000 a month, of the Central Provinces at Rs. 3,000 a month, and that of the United Provinces, Rs. 5,333 a month, though they draw of their own accord at Rs. 3,000 a month. In the case of Central Provinces Ministers the Hon'ble Mr. Kelkar, while he was a Minister there, used to charge only his pocket expenses. Therefore, Sir, the salary of the Ministers should be fixed between Rs. 4,000 and Rs. 3,000.

Then, Sir, in order to have a stable Ministry I have already suggested and I do suggest again that the number of Ministers should be increased from two to four, and that being so I submit that the best of the members of the Council should be nominated as Ministers, be they Europeans or Indians, Hindus or Muhammadans. (A voice: An Anglo-Indians.) Personally I have not the slightest objection to an Anglo-Indian being appointed as a Minister, provided the people have confidence in him. I am really sorry to say that the European members are unwilling to serve as Ministers, and therefore there should be two Hindu and two Muhammadan Ministers, as the system of communal representation has already been introduced in this Council.

**Mr. A. C. BANERJEE:** Is it a fact that the European members of the House have refused to serve as Ministers?

**Mr. PRESIDENT:** It is not a point of order, Mr. Banerjee, and you should not have raised it.

**Mr. A. C. BANERJEE:** I wanted to have information on the point.

**Mr. PRESIDENT:** That is quite a different matter. You are quite entitled to speak, but you should not put questions like that as points of order.

**Babu AMULYA DHONE ADDY:** It has been stated that if the number of Ministers is increased from two to four, the Cabinet will be unworkable. But I beg to submit that if there are four official Members in the Cabinet, the non-official members should also be at least four. Even in Australia the number of Ministers is 12 including the Prime Minister, and in Great Britain there are 21 Ministers consisting of non-officials. And if a Cabinet of 21 is workable, I do not see any reason why a Cabinet of 9 would be unworkable in Bengal. It has been alleged, as will appear from the note of His Excellency the Governor,

that there is not sufficient work for four Ministers. But I beg to submit, Sir, that His Excellency the Governor himself has suggested that there should be two Council Secretaries to help the Ministers in the preparation of new schemes for the development of industries, etc. If that be the case, then His Excellency has admitted that four officers are necessary instead of two. Therefore, I beg to submit that instead of two Ministers there should be four Ministers on a salary of Rs. 3,000 a month. (A voice: Send in your application.) I am very glad that my friend is advising me to submit my application for a Ministership. But I can assure you, Sir,——

**Mr. PRESIDENT:** That may be a matter of intense personal interest to yourself, but it is not germane to the subject-matter under discussion.

**Babu AMULYA DHONE ADDY:** As a personal explanation, I may be allowed to say that I am willing to serve my country without any remuneration whatever. It is no question of salary. We are elected to serve our country in whatever capacity we are required to do. Then, Sir, much has been said of the Indian Civil Service. I admit it is a heaven-born service, but is it not a fact that under this Reforms Scheme examinations are being held annually both in England and India simultaneously. Is it not under the Reforms Scheme that we have got this concession, and, therefore, my humble submission is this that we should try our best to make the reforms a success, and at the same time try our best to get further concession, so that in course of time we may have home rule for India. It has also been stated that with a view to doing away with the system of dyarchy, they have driven away Sir Surendranath Banerjea and Babu Surendra Nath Mallik from the Council. Is it not a loss to our country? Did not they do an immense good to the country. Is it not a fact that Sir Surendranath Banerjea was the father of the home rule movement in India? Is it not a fact that Babu Surendra Nath Mallik, as Chairman of the Corporation

(The member having reached the time-limit resumed his seat.)

**Mr. M. DAUD:** The question before the House is whether dyarchy should be worked out or dyarchy should die. Before dealing with this question it is necessary to refer to the resolution that was placed before the House on the 17th February last. Sir, it was due to the earnestness of my friends the Nationalists that His Excellency the Governor was pleased to ask the Hon'ble Member, Sir Abd-ur Rahim, to place that resolution before the House: otherwise there would have been no reason to place the resolution before the House on the 17th February. However, by the demonstration of the Muhammadan party the resolution was carried by a majority of 17 votes. After the resolution was passed, representations were made to His Excellency to the effect that the wishes

of the Muhammadan party, as well as the wishes of the Liberals, should be given due weight, but the solidarity of the Liberals under the leadership of Sir Provash Chunder Mitter greatly influenced the selection of the present Ministers by His Excellency. The Moslem party unanimously said that they wanted Mr. Fazl-ul Huq and Mr. Ghuznavi as Ministers.

**Mr. PRESIDENT:** The question of the personality of any candidate, possible or impossible, for a Ministership does not arise.

**Mr. J. M. SEN GUPTA:** Is he not entitled to refer to the number of Ministers?

**Mr. PRESIDENT:** It is not open to him to discuss the claims of any particular individual. You must continue your speech without referring to the claims of any candidate.

**Mr. A. C. BANERJEE:** Is he not entitled to name certain names with a view to explain the attitude taken by some members.

**Mr. PRESIDENT:** Your connection with the Council has been long enough, Mr. Banerjee, to make you aware that it is not open to any member on this motion to discuss the merits or the demerits of any particular Minister.

**Mr. M. DAUD:** It was not said on the 17th February last that the last two ex-Ministers did not enjoy the confidence of the House. On the contrary the Muhammadans of this House, including my Muhammadan Swarajist friends, were of opinion that they had every confidence in the two Muhammadan Ministers, although the Swarajist Muhammadans refused to pass the Ministers' salaries on their policy of obstruction.

Sir, it has been suggested by the Nationalists, by my friend Kumar Shib Shekhareswar Ray this afternoon, that the present Ministers also do not enjoy the confidence of the House. I am at a loss to understand from the speech of the Kumar Sahib what is the meaning of his "no-confidence." If he, or his party, had accepted office, the same thing would have occurred. However, His Excellency the Governor in appointing the Ministers has said in the communiqué, which was issued by Government, that he had consulted the opinions of the several groups existing in the Council excepting the Swarajist group. But I say that His Excellency in appointing the present Ministers has not given due weight to the feelings of the Muhammadan party. So the Moslem party has a real grievance regarding the appointment of the Ministers. The two ex-Ministers, in giving evidence before the Reforms Enquiry Committee after their salaries were rejected by the House, said that dyarchy was workable. The Muddiman Committee, taking advantage of that statement of the two ex-Ministers of Bengal, stated in so many

words that dyarchy was workable. Now I am very glad to see that the ex-Ministers were paid in their own coins when it was stated by His Excellency that they were ineligible for being reappointed as Ministers. They must take lesson from what is happening to the present Ministers.

With regard to the personnel of the present Ministry——

**Mr. F. E. JAMES:** May I know whether we are discussing the salary of the Ministers or the personality of the Ministers?

**Mr. PRESIDENT:** I have already said that we are discussing the question of dyarchy and not the personality of the Ministers.

**Mr. M. DAUD:** With regard to the appointment of the present Ministers, I say that I have every confidence so far as the appointment of the Raja of Santosh is concerned, because he has been nominated by the Liberals, whose leader is no less a person than Sir Provash Chunder Mitter—a person who can sign the Rowlatt Report and can at the same time object to the passing of the Ordinance into law. With regard to the appointment of the Nawab Bahadur——

**Mr. F. E. JAMES:** The member is again referring to personalities.

**Mr. PRESIDENT:** I despair of asking the member to remember that we are discussing the principle of dyarchy and not the merits or demerits of the present Ministers.

**Mr. M. DAUD:** With regard to the appointment of the Nawab Bahadur, I do not see eye to eye with His Excellency. If the opinion of the Muhammadan party in this Council is to be respected, then I do not think that His Excellency was right in this particular choice of his. Of course I do not challenge His Excellency's prerogative——

**Mr. PRESIDENT:** It does not matter whether you challenge His Excellency's prerogative or not; it is not permitted to you to do it in this Council Chamber; that is quite sufficient.

**Mr. M. DAUD:** I do not see eye to eye with His Excellency, so far as the Nawab Bahadur's appointment is concerned.

**Mr. PRESIDENT:** I have already ruled you out of order when you were dealing with the appointment of a particular Minister and it would be better for you had you seen eye to eye with me in regard to that ruling.

**Mr. M. DAUD:** With regard to the portfolio of Education which has been placed in charge of the Hon'ble the Nawab Bahadur, I do not see eye to eye——

**Mr. PRESIDENT:** The present discussion does not concern the personnel of the present Ministry. Please confine yourself to the principle of dyarchy.

**Mr. M. DAUD:** Let me come to the Labour point of view on the subject. So far as the constitution of the present Cabinet is concerned, it consists of a Raja, a Maharaja and a Nawab Sahib and members of the steel-frame. Sir, Labour wants Mr., Babu and Maulvi in the Cabinet, that is, it wants Commoners for its interest; so one more Commoner should be added to the Cabinet. Sir, I quite realise the difficulties of being a nominated member, and though I personally do not approve of dyarchy yet there is no other alternative for me than to support it.

**Mr. W. L. TRAVERS:** Since the Council came into being 15 months ago there has been debate after debate, fight after fight, over the same matter as that which we are experiencing to-day. The same great questions have arisen for decision—are there to be Ministers or not? Is the reformed constitution to continue or are the disciples of obstruction to be successful in preventing it? The followers of that policy of obstruction have certainly been successful up to the present in that during the 15 months of the life of this Council, not a single measure, not a single Bill of those that are ready and those that spell progress, has been put on the Statute Book. Of the many schemes for the amelioration of the condition of the people a large number are in abeyance. Let me take one instance. The Swaraj party itself has made full use of the Act which has reformed the Corporation of Calcutta, but it denies, by its policy, the extension of those benefits to the district boards and municipalities of Bengal. We, as a party, are resolutely and actively opposed to the policy of obstruction. Sir, there would seem to be but three issues, three possible results of that policy of obstruction, if successful. The first—a remote possibility I grant you—is the catastrophe of a revolution. I believe that only a microscopic minority of the people of this province desires that result. The second possible result is that, wearied by constant agitation, wearied by denunciation, and wearied by obstruction, the British Parliament and the British people might be induced to give complete independence to India. I myself am of opinion that those who hold that belief make a profound mistake in misjudging entirely the mentality of the British Parliament and the British people. I believe, Sir, that with co-operation there will be a far quicker response, a far quicker advance in the direction of further self-government in India. The third result is a repetition of what we have experienced during the last six months of the past year, that is to say, a period of marking time, an impasse or a dead-end, if it might be so described, so far as the extension of powers to Indians

is concerned. That, I believe, is the most probable result of this policy of successful obstruction.

Now, Sir, once more this Council by a majority of 24 votes has given another opportunity for going forward. It is true that that vote was obtained during the absence of the Swarajist leader, Mr. C. R. Das. From a personal point of view, we, the European members in this House, alike with other members of this Council are very glad to see Mr. Das once more amongst us in restored health. But I confess that from the political point of view I wish that he were in Orissa, in Timbuctoo or in some place far removed from the Council Chamber and its lobbies, because we know that Mr. Das will use his great influence to try and prevent the opinion of the majority from prevailing

Sir, on a recent occasion in this Council an hon'ble member—I believe it was Mr. J. M. Sen Gupta—stated that the European group would support any Ministry. Well, Sir, that is not altogether a fact, it is not altogether true. Without mentioning names, there are some Ministers or Ministries that we cannot and will not support. We will also not support, speaking generally, any ministry which has not a policy which is entirely constructive. But to admit for a moment the partial truth of Mr. Sen Gupta's assertion there is one great reason why we are prepared to support any Ministry, or I may say almost any Ministry, which has a constructive policy. The reason for this is that we, the European members of this Council and the British population outside in the province, desire at the present moment stability more than anything. If there is to be a Ministry at all it should be a stable Ministry, so that things can go forward. We are prepared to support any Ministry which has as its chief object the ordered and orderly progress of the reformed constitution. Since the initiation of the Reforms we have done our best, we have striven our hardest to make the Reforms a success and we shall continue to do so.

In regard to the present appointments, if I am to be permitted to speak on them——

**Mr. PRESIDENT:** You need not go into that, Mr. Travers. You will have an opportunity later on of discussing the question.

**Mr. W. L. TRAVERS:** Then, Sir, I have done.

**Sir PROVASH CHUNDER MITTER:** I am afraid there is some confusion as to the real issue which the House has to decide to-day. If the real issue were whether dyarchy is a desirable constitution or not, then I would have unhesitatingly voted against this motion for grant. But a moment's consideration will convince members who are open to conviction that that is not the real issue. However unsatisfactory dyarchy may be, so long as dyarchy lasts the real issue is: Can it be worked for the advantage of the people and for furthering national

interests? My answer is an emphatic "yes." Sir, as a Liberal Nationalists we have condemned dyarchy; so have the Swarajists, and if the Europeans were to speak out, I do not think they would express themselves as enamoured of dyarchy. Therefore, Sir, dyarchy has few friends. But dyarchy is the existing constitution, we cannot get it changed to-day or to-morrow; so long as the present constitution lasts it is the duty of every patriotic Indian and, for the matter of that, every patriotic Britisher who takes an interest in India from the point of view of patriotism for his own country, to work the existing constitution to the best advantage. Sir, to work the existing constitution to the best advantage has always been the politics of my party, the party of the Liberal Nationalists. Go back to the old Congress days when the Congress was founded by eminent leaders—that was the policy. In those days there was no vestige of representative government in the Legislative Councils. In those days the stalwarts of old worked the constitution and tried to make the best out of it in the interests of the nation. Later on, after the amendment of the Government of India Act of 1892 in 1909, that was the policy that was followed, and to-day it is the same policy that is being followed by my colleagues of the Liberal Federation in India. May I, Sir, in this connection illustrate my point? When the appointment of the Muddiman Committee was decided upon by the Government of India, my esteemed friend Pandit Motilal Nehru was invited to serve on that Committee. Many of us admire the Pandit as a selfless patriot who is actuated by the highest motives of patriotism towards his country, and the Panditji, true to his principles and true to his policy, refused to serve on the Committee. I honour him for his principles, although I totally dissent from them. It was some of our Liberal leaders who at great sacrifice served on that Committee. Sir Tej Bahadur Sapru at a considerable sacrifice, Sir Sivaswami Aiyer, that old veteran whose age has not dimmed his enthusiasm for the service of his country, Dr. Paranjpye, that scholar politician, and last but by no means the least, Mr. Jinnah, served on that Committee. Their services on that Committee, even our Swarajists friends had the candour to admit, were of use to the country. The service rendered by the evidence of ex-Ministers like Lala Harkissen Lal and Mr. Chintamoni cannot be ignored. Their evidence was so effective that even the fifth non-official Indian member had to say that dyarchy was unsatisfactory. If the present constitution is unsatisfactory, you cannot remove it in a day. Should we not try to work it to serve our national interests?

**Mr. C. R. DAS:** No.

**Sir PROVASH CHUNDER MITTER:** Mr. Das says "no." I quite appreciate his point because he is true to his own principles, but I am speaking of those 75 members who voted on the last occasion in

favour of working the present constitution, however unsatisfactory, but when the time came to give effect to that vote are going back on their decision on personal issues, and if these members, ignoring personal issues, would form themselves into a group of party or groups of parties and formulate their lines of policy, can any Ministers resist them, can any Government resist them? I know, Sir, that members of this House as well as the outside public have declared dyarchy to be unsatisfactory. If you cannot get rid of dyarchy immediately, try and strive for improvements. You know that there is poverty around you, there is illiteracy around you. Can you not combine and try and do your best to remove poverty and ignorance? Now, Sir, I have been told that if we can throw out the Ministers' salaries, provincial autonomy will be given to us. (A voice: Nobody said that!) It may be true that in two out of the nine provinces, dyarchy has not been been working; but I maintain that in at least six of the seven provinces dyarchy is maintained by expediencies of which neither our British rulers nor we Indians need feel proud. Now if the Conservative Government in England give us some advance, I, for one, think that they will give us some advance, not because by our vote we may turn down the Ministers' salaries to-day; but because, dyarchy is not really working satisfactorily in most of the provinces and what is more important from the party point of view of the Conservatives that they would perhaps like to steel the thunder of the future Labour party. If we get any advance, it will be for the reasons I have mentioned. I am not concerned with what England will do, but with what our people can do. Taking note of the existing conditions and circumstances, I think a good deal can be done by working the present constitution. If we work the existing constitution with a strong party, a group of parties united by principles, we can get more money for the nation-building departments to-morrow, we can bring things to such a pass to-morrow that Government will be bound to listen to us. (Several voices: We can do that by obstruction.) My friends say that by obstruction they can succeed; but I entirely dissent from that view, although I can understand them, but I do not understand those who are too weak to follow the policy of obstruction and yet do not lay down a definite policy: but, Sir, we are here to work the present constitution to the best advantage. (A voice: We cannot work it.) My friend says we cannot work it. If he cannot do so, it is his duty to show some other way to our countrymen. If he thinks it is impossible to work it, if he thinks that co-operation from people like Sir Tej Bahadur Sapru and others has been of no effect, then whose fault is it? The fault is not of the Swarajists nor of the Government, but of those who believe in responsive co-operation and yet would not unite round principles.

Sir I would like to conclude by making one appeal, and that is this: let there be a party gathered round principles. (Kumar Shib Shekhareswar Ray: Hear: hear.) I thank my friend for his cheering.

**Kumar SHIB SHEKHARESWAR RAY:** He should address the Chair and not address me.

**Mr. PRESIDENT:** Kumar Sahib, Sir Provash is at liberty to express his thanks to you through the Chair.

**Sir PROVASH CHUNDER MITTER:** As I was saying, if we have a party gathered round principles, we must find out the principles on which we can agree. If we cannot agree on all questions of principle, we can at any rate agree upon some. We can certainly agree on the question of the amelioration of the masses—I am sure all the parties could agree on that. My friend, Mr. C. R. Das, may not be willing to act in concert with us because of his policy of obstruction; but I am sure that any scheme by which the condition of the masses will be improved, will have his whole-hearted support, although his political creed may stand in the way of active co-operation. If we have parties formed on principles, the sorry spectacle that we are witnessing to-day will be an impossibility.

**Mr. K. CAMPBELL:** Although, Sir, after my friend Mr. Travers' lucid summing up of the situation there remains little for me to add, I am unwilling to let this opportunity pass without associating myself and those I represent with all speakers who have voiced opinions in favour of passing this demand for Ministers' salaries. One thing seems to me to stand out beyond question, and that is, that the present constitution should not be condemned until greater proof is forthcoming that it is unworkable as a transition step, and that we must therefore pass this demand and so keep the Ministers in the posts. I do therefore urge the House to rally on this one point I am not asking the House to pledge itself to any extravagant sentiments of love for dyarchy as a form of government but merely urging it to show its sense of responsibility by not turning down what is admittedly a transitional and experimental form of government until it has accumulated more evidence on which to form a final opinion.

**Maulvi A. K. FAZL-UL HUQ:** I rise to support the first of the motions moved by Babu Naliniranjan Sarker, but on grounds entirely different from those put forward by him and some of the speakers.

**Kumar SAHIB SHEKHARESWAR RAY:** Never mind.

**Maulvi A. K. FAZL-UL HUQ:** I am speaking at the present moment not merely for myself but for a small group of Muhammadan members who had voted in favour of the resolution of the Hon'ble Sir Abd-ur-Rahim and who now find it difficult, for the reasons which I will briefly indicate now, to cast their votes in favour of the motion that has been moved for the Ministers' salaries. Sir, I wish to declare at once that if we go into the same lobby with our political opponents, viz., the Swarajists, we have not for a moment changed

our creed, nor have we turned Swarajists ourselves. We have never believed in a policy of obstruction merely for obstruction's sake, nor should it be taken that our votes indicate that we have for a moment swerved from the principles to which we have been attached during all these years of our political life. But, Sir, there are certain very weighty considerations which have induced us to take the course which we are taking to-day. Much has been said, Sir, that under the present conditions and during the past one year no useful scheme has been put forward by anybody and that so far as administrative success —so far as constructive work—is concerned, our output of work is practically nil. Now, Sir, if you ponder for a moment on the reasons you will find—a moment's consideration will convince any reasonable man—that it is impossible to get on with any Ministry under the conditions now prevailing in this Council. (Swarajists' applause.) Much has been said that we should put our hearts into the work, but I say that it is asking us to do what is humanly impossible. The political conditions prevailing in the country, and especially in the Council, are such that, however well-intentioned, however strong a cause may be, and however illimitable a Ministers' resources may be, he cannot put forward any constructive scheme for the simple reason that his time is taken up in useless warfare with his political opponents. I have been in office for eight months, not when there was nothing but a calm sea when any navigator might navigate, but I have had to face the most stormy sea; and I challenge any one to contradict me if I lay a claim without any undue vanity that you could not find two men more devoted, or who could put up a more gallant fight in face of strenuous opposition in the Council, than Mr. Ghuznavi and my humble self. We tried and we have failed, and out of experience has grown this belief that so long as the present conditions last, you may have any number of Ministers you like, but nothing like constructive work will come out of that Ministry. Is it mere Ministers that we want or work? If you want Ministers, by all means vote any amount of salaries you like, but merely having Ministers won't give the emulation to work that ought to be done under the Reforms? Now, Sir, what is the reason for all these? We have at the present moment in this Council a party pledged to opposition—opposition unremitting, unceasing and unrelenting. Then there is a small group called the Independents which, so far, have voted with the Swarajists on almost every question. It makes up a group of 60 out of a total of 140. It requires only half a dozen to walk from one side to another to decide victory or defeat. I ask, Sir, is it possible for any Ministry to go on with any work, far less with any constructive work, under the present conditions? Our belief, therefore, is that unless these conditions are changed it is impossible to have a stable Ministry in Bengal. Therefore, Sir, we feel that attempt ought to be made to disarm that

opposition. It is necessary that before a stable Ministry is formed—there ought to be no patchwork, we should go to the root—We should try to find out a solution by which that group could be silenced and may be disarmed, and in order that that may be done, there ought to be a conference between the various representatives of the different groups in the Council and, secondly, in order that a stable Ministry may be formed, the present Ministers must go. It may be that they will be included in the Ministry that is going to be formed, but it is impossible to have a stable Ministry under the present circumstances. You must change the conditions completely, things must be reconstructed, before you can have a stable Ministry. There are two ways of doing this—one is to pass the vote of no-confidence and the other is voting for no salaries. I know that by voting for no salaries we are endangering the constitution, but this is the only way. We have no personal quarrel with the gentlemen now in office. We have decided to take this course although we must say that we believe in dyarchy. Personally, not only do I believe in dyarchy but I think it is the first step—the indispensable step towards the realization of self-government by the people of India. In having a stable Ministry, we must have a conference of the leaders of the different groups in this Council to exchange views, and in that way I think a stable Ministry can be formed. I know the conditions and I know that leaders of various groups are anxious to have a stable Ministry. If we throw out the present Ministry and if His Excellency carries out what I must call a threat and retransfer the transferred departments to the reserved side, then I have nothing to say; but I submit that the stable Ministry can be formed after a conference of different leaders of the groups and it is possible yet to do so. It is for these reasons we have decided to vote for no salaries although we believe that a stable Ministry can be formed if His Excellency sends for the leaders of the various groups of the Council and discusses matters with them. Sir, I may assure the Council that we ourselves have been in conference for several days over this matter and the step that we are now taking is a deliberate one. It may be that we have been wrong in our calculations, but we submit that our motives are pure and that our idea is patriotic, and that our sole object is to have a stable Ministry in this province, so that some sort of constructive work may be done. Ours is not a selfish idea. On behalf of my small party I can say that, whatever may be the result of to-day's voting, our desire is for the good of the masses whose interest and whose interest alone must always be our most sacred charge.

**Mr. E. VILLIERS:** Of all those who are participating in this debate, I wonder how many realize what may be the magnitude of its importance—and in using the word magnitude, I am not overstating

the case—since it is well within the realm of possibility that the course of India's future may be swayed by the balance between those who shall presently be going into the "Aye" lobby and between those who shall go into the "No" lobby.

And yet, in spite of this, in spite of the fact that to-day's debate may go a long way towards settling the future of the constitution in India, there seems to me to be an extraordinary lack of appreciation of this fact—over half an hour was taken up the other evening by members vying with each other in proving to the rest of the House their ability at hair-splitting—nor, with few exceptions, have I heard to-day any arguments put forward by the opposition which, for appositeness, could not have been bettered by a child in the nursery. And all Mr. Fazl-ul Huq's verbiage still leaves me wondering what constituted the 30 pieces of silver which has induced Mr. Fazl-ul Huq to change his mind in the past 24 hours, and betray his conscience and his country.

Coming, however, to that section of the House which has been putting forward arguments in favour of the retention of a Ministry, no one, I venture to think, has summed up the cardinal issue so succinctly as has my friend Mr. Campbell in his short but very admirable maiden speech.

Mr. Campbell, if I remember right, drew our attention to the fact that the present constitution was but a temporary one—a temporary and tentative one—and in that remark we have the real point which is germane to our discussion to-day; throughout the debate the present constitution, or dyarchy, as I will call it for the sake of convenience, dyarchy has been lashed and abused as though it and all that emanated from it, were a hard and fast fixed constitution which had been hung round the neck of India for all time, to remain there as a permanent institution so long as time shall last. This House has got to get this fallacy out of its head and out of its mouth, and to discuss dyarchy and what arises therefrom, including the retention or otherwise of a Ministry, from the point of view of what dyarchy is meant to be and to stand for. Dyarchy never was intended, even by its most visionary and enthusiastic adherents, to be a permanent constitution it was always clearly laid down as being a temporary, transitory and experimental form of government—it is possible that even on this basis, something better could have been devised -but it is easy to be wise after the event—and little blame can be attached to the framers of the present constitution for not having visualized the myopic and distorted mentality of those who waste so much time in destroying for destruction's sake.

Dyarchy, I repeat, is but a tentative and transitory form of government devised for the purpose of testing India's capacity for

ultimately reaching the goal of self-government—and it is on this basis and this basis alone that we have to consider the situation to-day.

Now, Sir, it has generally been conceded that dyarchy is an experiment—and like every other experiment, it will in the fullness of time show a record of failure or success; also as in the case of every other experiment, Sir, we are not and shall not be in a position to judge the success or failure thereof until it has been given a reasonable time to work and reasonable conditions in which to work.

I maintain that thus far it has had neither—true, many of us have our personal opinions of dyarchy, but so long as these opinions are merely opinions they are not, for the purposes of proof, worth the breath that would be expended in giving them utterance. There is one test and one test only—that is the test of *de facto* trial—and until the constitution has had this trial, neither the commendations of its protagonists nor the condemnation of its antagonists will be worth anything. It can only be judged on its merits. It can only live on its merits—and above all things—and I would draw Mr. Das's attention to this point—it can only die on its merits—and it is for this reason and for this reason only, that despite all its obituary notices, dyarchy still lives in Bengal to the extent of taking up many hours of our time in this Council Chamber.

I think I am voicing the opinions of the Europeans when I say that we hold no brief for dyarchy either way. We get no particular benefits out of either its life or its death, but we will not condemn dyarchy unheard. We will not judge it until such time as we consider we have sufficient data on which to adjudge it either good or ill—and it is for this reason that we stand behind the constitution and intend in the coming vote to support the Ministry.

Sir Provash Chunder Mitter has drawn the timely attention of the House to the fact that it must work on principles—principles which I am sorry are often conspicuous by their absence. Unless the House learns to put principle considerations before personal ones, there is no hope whatsoever for the future of Bengal as a political entity. Leaving personalities out of the question, we must decide to stand by the constitution and the Ministry or not according to the dictates of our principles, leaving, so far as is humanly possible, personal considerations and predilictions out of account; and it is thus, Sir, that I would appeal to this Council to support the Ministers.

**Babu DEBI PROSAD KHAITAN:** I have no desire to intervene in this debate, but I have been asked by my respected leader to reply to a position of changing colours which has not the consistency of, but of which even a chameleon would be ashamed. Sir, I am sorry that the source of my inspiration has disappeared from this House. It was until recently that Mr. Fazl-ul Huq requested the members of their

Liberal party to support the Ministers' salary even if the Ministers continued in office. The former Ministers continued in office even after a vote of censure was passed against them and Mr. Huq formed part of that Ministry. Now Mr. Fazl-ul Huq advises us that when the House has no confidence in the Ministers their salary ought to be totally rejected. This is a position which it is impossible to understand. I understand that recently Mr. Fazl-ul Huq was present at a meeting of some Moslem members of this House and got his own name suggested to be again appointed as a Minister. (Mr. M. Daud: On a point of order, Sir.) Sir, my friend Mr Daud rises to a point of order although I am merely referring to his own speech to-day. I have heard several of my colleagues in this House saying that when there is no confidence in the Ministers the salary ought to be totally rejected, but so far as that position is concerned it has been abundantly clear that the total rejection of the Ministers' salary simply means that this House does not want any Minister. If my friends of the Independent group or the small group of Muhammadan members, of which Mr. Fazl-ul Huq is the leader, think that the present Ministers ought not to have accepted their office under the present conditions, that simply means that they have no confidence in the present Ministers, and the proper procedure for them would be to vote for one of the motions for token reduction which will come later on. So far as the present motion before the House is concerned, it is a distinct issue—whether there should be any Ministers or not. So far as that is concerned my friend, Sir Provash Chunder Mitter, has clearly defined the attitude of the Liberal party, that although that party is not a lover of dyarchy it still does not want to give up what we have got. It does not want to prevent the working of the present constitution for the good of the people.

This is the position for which the Liberal party to-day stands, and this is the position for which my friend Mr Fazl-ul Huq stood when he was a Minister, and in consistency with self-respect that is the position for which he ought to stand to-day.

**Mr. F. E. JAMES:** I had no intention of taking part in this debate until the speech of Mr. Fazl-ul Huq. I desire to say here that I have not listened to any speech in the whole of my life-time—I have heard many speeches both inside and outside this Council—which has been more insincere than the speech which Mr. Fazl-ul Huq has delivered to-day. I am sorry that Mr. Fazl-ul Huq is not in the House now. I have heard very carefully what he said about the subject in his speech in the Council Chamber, but I should like to ask him two questions. I should like to ask him in the first place if he had been offered a Ministership, would he have accepted? I understand that he would. Therefore, he is now a disappointed man, and I gather that

the gentlemen going into the Ayes lobby, led by Mr. Fazl-ul Huq and possibly by others, are also disappointed men. I should like to ask in the second place what conditions does he imagine would produce what he desires to see, namely, a stable Ministry. Does he desire a general election? I believe the last thing which Mr. Fazl-ul Huq desires is a general election. Very well, then, how does he propose to change the present condition of things unless at the same time he is prepared to face the danger of a general election. I suspect, Sir, that the condition of things which he would prefer to see and which, in his mind, would give a stable Ministry would be a position in which he himself would find a place on the Ministerial Bench. That being so, Sir, I think we ought to be congratulated that the choice has not fallen on him. In the second place, I desire to ask, as a student of politics and as a real and earnest seeker after what is the right thing, two questions, and I shall be very grateful if Mr. C. R. Das will give me a reply. The first question is this: what do you imagine will be the result of the killing of dyarchy and subsequent obstruction? What is the result you are seeking for? Dyarchy has now been dead for a year since the last time it was killed. What has been the result? What benefits have accrued? I see none. If you compare the records of the last year's session of this Council with those of the previous year, *i.e.*, before the last general election, I think you will find that on the whole the credit goes to the side of the Council before the last general election. For example, in social matters and in social welfare I would point to two Bills which were passed by the last Legislative Council, namely, the Bengal Children Bill and the Calcutta Suppression of the Immoral Traffic Bill. Those two Acts were passed and were placed on the statute-book through the co-operation of non-officials with the Government. Such things have now become absolutely impossible by the obstructive policy of the other side, and as one who is closely interested in these things—in matters of education, sanitation and so forth—I fail to see, as a student of politics and as a social worker, what possible good is being reaped by this policy of obstruction on the part of the other side. If I could see that there were any good, I would be prepared to revise my opinion; but up to the present I have heard no speech of any member on the other side which has yet convinced me that any good will accrue from the policy which is now being followed. The second question I would ask is this: Having killed dyarchy, what is the next step you propose to take? Having brought the transferred sections of Government to an end, what do you next propose to do? (A voice: Martial Law: Revolution.) I have asked a plain question and I should like to have a plain answer. You do not stop Government; you consolidate the bureaucracy; you make it more difficult to attack Government in regard to its opium policy, general excise policy and with regard to Education, Public

Health and Sanitation. What is your next step? Destruction is your first step: having destroyed, how are you going to build up. I would suggest to the gentlemen on the other side that this policy is a blind-alley policy. It leads to nowhere. It has led in the past to considerable disaster. It has already led in the past to considerable unemployment. I would ask Mr. C. R. Das if he is going to explain this evening exactly where he is going to lead the people to by the vote this evening. I do ask those who supported the general resolution on the 17th February last to have the courage of conviction and to remain faithful to the views expressed by them at that time. I would say one thing in my own personal capacity and on my own behalf: I would say this, that whatever we do let us do it well and let us do it quickly. If dyarchy is to be killed, let us kill it and kill it so effectively that it can never raise its head again. If we want to have Ministers, let us have a stable Ministry. But the present situation of uncertainty has led the public life in Bengal during the past few months to its lowest possible condition. As a new-comer to this House and as an inexperienced politician, I have been appalled by the deterioration of public life in Bengal, and I would say with all the earnestness at my command that if you want to kill dyarchy, kill it at once and finish with it; but if you are going to have Ministers, have a stable Ministry and let us put forward a policy which will better the condition of the millions of the province.

**Mr. S. C. MUKERJI:** We are dealing with a most momentous issue this evening. That momentous issue is whether we are going to have dyarchy or not. The voting on the salaries of the Ministers is going to decide the issue. I have always characterised the policy pursued by my Swarajist brethren as a reckless policy, but I have always admired the sincerity of purpose which has actuated my Swarajist friends in pursuing that policy. I have sincere admiration for the sincerity and integrity of their purpose and of their policy. (A voice. Question.) You cannot question it. I have never understood my Nationalist friends because their policy has been a policy of pursuing the Swarajist willy nilly. I can understand and fully understand the policy of my party. (A voice. Nominated party.)

**Kumar SHIB SHEKHARESWAR RAY:** May I inquire what is his party?

**Mr. S. C. MUKERJI:** My party is the Liberal party. (Hear, hear.) The policy of that party is to support dyarchy, however unsatisfactory or inadequate it may be. But, Sir, it was a sight worth seeing for the Gods when I heard Mr. Fazl-ul Huq speaking this evening and enunciating his policy. That speech shows that this evening dyarchy is not being weighed in the balance on its merits, but there are wheels within wheels and personal and other considerations——

**Mr. A. C. BANERJEE:** On a point of order, Sir. Is Mr. Mukerji justified in imputing motives to an hon'ble member of this House that personal considerations weighed with him when he made certain pronouncement.

**Mr. PRESIDENT:** I have not heard it.

**Mr. A. C. BANERJEE:** I tell you, Sir, he has said this and he will not deny it.

**Mr. C. R. DAS:** We want a ruling from you. Is it permissible for a member of this House to impute motives to another member?

**Mr. PRESIDENT:** No, certainly not, Mr. Das. But I have not heard the making of any imputation.

**Mr. S. C. MUKERJI:** I have not imputed any unworthy motive to any hon'ble member of this House. I am discussing the policy which has been enunciated by a member of this House, and I think I have every right to do so.

It has been said that if you kill dyarchy to-day you get provincial autonomy to-morrow. I do not believe it, Sir. If I did really and honestly believe it, I should have gone over to my Swarajist friends. My sincere conviction is that it is a hopeless mis-reading of political history, that by destroying the existing structure and by a wholesale and persistent obstructionist policy you will be able to have provincial autonomy to-morrow. If you believe that you are in fool's paradise. So far as that dream is concerned it is a visionary's dream, Utopian, unrealized and unrealizable and history denies it *in toto*. I am very glad that Mr. James has put two clear-cut and pertinent questions to the great leader of the Swarajya party, and the greatest leader of the country. I am to ask Mr. C. R. Das, for whom we have the greatest admiration, to give a clear-cut answer to these two clear-cut issues. My sincere belief is that if we go on working the present machinery strenuously and steadily and satisfactorily and faithfully, the time is not far distant when we shall have provincial autonomy which we all so devoutly pray for.

**Mr. P. N. GUHA:** It is the first time that I am making any attempt to speak in this Council, and I do so with great reluctance. I have always felt the awkwardness of my position in this House, for I honestly believe that a nominated member has no legitimate place in a democratic assembly; and if I am trying to get over this awkwardness, I do so only in the belief that I am as good a tax-payer in Bengal as my friends on the other side of the House are. So it will not perhaps be out of place to speak my mind over a question which may change the future destiny of the province of my birth.

Those who have been carefully watching the currents and undercurrents of the political tide in this House are fully aware of the circumstances which have made it possible for the Swarajist party again to press the resolution demanding the abolition of the dyarchy in this province. For obvious reasons I am not going to enter into details. Nor do I think it advisable to condemn the Swarajists for the attitude they have taken. My feeling at the present moment is one of complete resignation.

The revered leader of the Swaraj party has proclaimed on various occasions that the salvation of the country depends on the abolition of dyarchy. It was only yesterday that he asked us to "vote for the destruction of dyarchy" assuring us that "out of its ashes will rise the phœnix of a new national life which will ensure freedom". I do not know if the members of this House will obey his mandate. If they do, then a heavy responsibility will lie on the shoulder of the great leader.

The members of this House are fully aware of the determination of the Government. Sir Hugh Stephenson has said in a most emphatic manner, that in case the salaries of the Ministers are refused *in toto*, His Excellency the Governor will forthwith apply to the Secretary of State to re-transfer the transferred subjects to the reserved side and so the province will be deprived of the special features conferred on it by the Government of India Act of 1919. I take it that His Excellency's determination in this connection will remain unshaken. In that case, we who have so long considered the Reforms beneficial to the country will no doubt be gravely disappointed. We will take it that the road to the ultimate goal of self-government will be hopelessly blocked, and we will have no other alternative but to look upon the Swarajists as persons who have deliberately set back the hands of the clock of progress.

It may be that we are mistaken and it is possible that the calculation of Mr. Das will prove correct and a phœnix of a new national life, which will ensure freedom, will rise. Freedom is a thing for which even a nominated member may have some liking, and so I think Mr. Das is taking the gravest possible responsibility in tempting the Council to take a course which, in our opinion, is likely to prove fatal. He is wilfully and deliberately rejecting what, in our opinion, is a boon, to obtain which the elders of our nation have strenuously fought for the last fifty years.

I know all about his courage and conviction. I know that his shoulders are broad enough to bear the responsibility that he is trying to undertake, but at the same time I give him a solemn warning. I ask him to consider the question seriously once again. He must remember that he is taking upon himself the task of shaping the destiny of the nation in a way quite different from the one which had hitherto been advocated by the elders of our nation. We very plainly

say that we have no faith in the destructive policy of Mr. Das and so I entirely dissociate myself with the views that have been put forward by those who want the salaries of the Ministers to be refused, and if Mr. Das carries the day, the responsibility of shaping the destinies of the nation will be entirely his and he will never be forgiven by the nation if he fails to give it what he is to-day promising to give by the abolition of dyarchy.

**Dr. H. W. B. MORENO:** I have listened with very great attention to the arguments advanced by the other side of the House with regard to the whole movement for killing dyarchy. I was anxious to know to-day whether there was anything real in the opposition concerning the momentous issue that is now before the House. Mr. Sen Gupta who, generally, is a person that speaks with reasoned arguments had nothing better to offer to this Council than to say that he objected to the whole question because, forsooth, communal prejudices were being engendered in Bengal. He was really advancing no argument at all; he was merely bringing in a matter that was entirely beside the question. May I assure him, that although he has emphasised a good deal communal prejudices in Bengal, I as an Anglo-Indian, interested in both the Indian community and in the European community, can assert that such communal differences are fast dying out; and it is not right and proper to bring in an instance or two of bad treatment happening in the streets or in a railway carriage as being a strong argument for the destruction of dyarchy?

On the other hand when I heard Kumar Shibshekhareswar Ray I thought that we should certainly hear something more solid on the question; but beyond indulging in vague rhetoric and heated eloquence and resorting sometimes to personal attacks he had nothing more to say. It was very unkind of him indeed to single out the Raja of Santosh for his inability to understand excise questions, but because he was a champion of temperance, most unkindest cut of all was to say that the Hon'ble the Nawab Bahadur had not ability to head the Education Department. The Hon'ble Nawab Bahadur may not be so gifted as the Kumar is in the way of education, but he certainly possesses a good deal of common sense, which after all is the greatest need for a person in the position he occupies, and which unfortunately is seriously lacking in the Kumar Sahib.

**Kumar SHIB SHEKHARESWAR RAY:** I said the Nawab Bahadur was not an acknowledged authority on education. He quite misinterprets me.

**Dr. H. W. B. MORENO:** I quite appreciate the witticism of Kumar Shib Shekhareswar Ray, but I have also wit enough to understand the sarcasm lying underneath.

Coming to Maulvi Fazl-ul Huq, what we have heard in his speech is nothing more than a bundle of contradictory arguments. He was undoubtedly angling for something; but I am afraid he is fishing in very troubled waters. I say that those who are out for obstruction realize that there is nothing in it except obstruction pure and simple; and those who have spoken on this side of the House have already declared that no helpful work, no constructive scheme is now being put forward here for the welfare of Bengal. Everything is being held up because of these obstructive methods. Can our friends sit down and contemplate with equanimity the disastrous position which, by their own obstruction, they have now created for themselves? We realize and respect their opinion, but I trust they will not fail to respect ours. We on this side of the House are for constructive work. (Question.) We have been told with a great deal of patronage on the other side of the House that we are the "good boys" of Government, but I should like to assure the hon'ble members on the other side that we are people who have the independence of our own opinions. We are not soft, pliant people following the mandates of others. I do sympathise with the position that the Swaraj party take, that they are out for obstruction and they hold, therefore, that wrecking is the best method to achieve this end. Let me say this to them. The psychological moment came when the Labour Government was in office in England. Did your obstruction produce any result? Were you not definitely told by Lord Olivier that if you came a little closer something would be done? What will your obstructive methods do at the present moment? I hold that the opportune moment came for India when Labour was in office but could you do anything? Nothing was achieved at all. Does the Swaraj party imagine that now when there is a Conservative Government in England they will be in a better position? Neither the British public nor the British Parliament are going to be cowed down by any of such inane, obstructive methods.

**Mr. S. N. HALDAR and Mr. C. R. DAS:** Are we to be cowed down?

**Dr. H. W. B. MORENO:** If we show the Parliament that we are doing our very best——

**Mr. A. C. BANERJEE:** Are you speaking as a representative of the British people?

**Dr. H. W. B. MORENO:** I am not; but I hold that if we work this constitution constructively, showing that we are doing our very best, doing all that is good for the welfare of India there is hope for the future. If we do that I say, there may be some possibility of success in the future, but I fail to comprehend the position created by Mr. C. R. Das and his friends, hoping that by mere obstruction they will be able to bring down the whole fabric of the British Parliament

to our way of thinking. Such a thing has only to be stated to be ridiculed. All the same I have every sympathy with the Swarajists, as I appreciate the position of the Independents. Both are after all one and the same; for if you scratch an Independent you find a Swarajist; but I have very little sympathy for those, who with a veneer of loyalty do all sorts of things against the Government. I certainly can find no sympathy for them. We have two real parties before the House, namely, those that are out for destruction and those that are out for construction, but there is no place for members of a third party, who vacillate from one side to the other, all to no purpose, but to suit their own ends.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

**Mr. C. R. Das:** In spite of my ill-health I feel constrained to say just one or two words on the motion before the House. Mr. Fazl-ul Huq's speech has been criticized very severely by some of my friends. His point of view is entirely different from mine; but I fail to understand why his position should be regarded as so unintelligible. I can understand his position, although I differ from him. All the arguments I have heard to-day in favour of dyarchy is that the nation-building departments must be worked; something must be done for the good of the people, for the good of the masses and so on. Mr. Fazl-ul Huq's position is that unless there is a stable Ministry, unless the condition which can make that little good possible, it is no use trying for it. (Hear, hear.) The ground upon which I support this motion is different as I shall explain immediately; but I can understand his position, I can respect it and I do not see any reason why such severe criticism should be levelled against him. But if I can understand Mr. Fazl-ul Huq's position and I respect it, I must say I cannot understand Sir Provash Chunder Mitter's. (Hear, hear.) What, after all, is his position? Mr. Fazl-ul Huq believes in dyarchy: Sir Provash Chunder Mitter does not believe in dyarchy. Sir Provash Chunder Mitter said it so often and he has repeated it here to-day. Let me quote from his evidence: "I am definitely of opinion that dyarchy has failed. I am further of opinion that the difficulties of running dyarchy will grow more and more in future"; and in his oral evidence, he said: I have always condemned dyarchy." He has referred to something which he calls principle. On what principle, may I ask, can one say: "I have always condemned dyarchy; I do not believe in dyarchy; dyarchy is unworkable, and yet I undertake to work it?" (Hear, hear.) If you undertake to work dyarchy, it must be on the footing that some good will come out of it, and if some good may come out of it, why call it unworkable? I fail to understand the logic of his position. If you really condemn dyarchy, condemn it not only in words but also in your action. The vote which you cast to-day

will be taken by the Government as an indication of what you think, what your real view is. You say: "I condemn dyarchy; I have always condemned dyarchy, but I must work it for what it is worth." If it is worth anything at all, you have got no right to condemn it. If any the least good can come out of it—which I deny—you have no right to condemn it. But if you condemn dyarchy, stand up like a man and say: "I condemn it, I refuse my co-operation, because I feel it is a system which can bring no good to the country." I could have appreciated Sir Provash taking up that position; but he has not.

Now, with regard to the Swarajist view, much criticism has been levelled not only to-day but over and over again. My surprise is that my friends do not get sick of such criticism, do not get tired of repeating the same kind of thing over and over again—which to me only shows that they are thoroughly ignorant of the Swarajist literature. It has been said that our cry is: Destroy, destroy—why destroy—that our only point is destruction. It betrays such an utter ignorance of the Swarajist position that it is difficult to reply to it. Why do we want to destroy? What do we want to get rid of? We want to destroy and get rid of a system which does no good, which can do no good. We want to destroy, it is because we want to construct a system which can be worked with success it is because we want a system which will enable us to do good to the masses. Can you lay your hands on your breast and say you can do anything for the masses under this system? What have you yourself done? It was tried for three long years with Sir Provash Chunder Mitter as one of the Ministers. May I ask in what way the condition of the masses has been improved? Has there been more education? Have they grown into anything? Has their provision been better off financially? No. You have not got the power. And not having the power, you know that you can do no good in the present circumstances. It is a sham business altogether: on the one hand the Ministers are Ministers of responsibility and power and so on; but without funds they cannot do anything. So these nation-building departments are made over to the Ministers, but the question of funds is in the hands of the reserved side, which can starve the nation-building departments just as they like, and when the people say that nothing has been done for them in the way of nation-building schemes, Government can always turn round and say: "There are your Ministers." It is a beautiful system. Then a threat has been held out that these transferred departments may be taken back by the Government. What I want to know is What harm will it do to you? If these departments are taken up by the Government and run by Government, they can only do as little as has been done by the Ministers and when the people get dissatisfied they will have to look to the Government. We want to transfer along with these departments the responsibility also on the Government. It will be for them to answer the question that will be put to them. It is now for the Ministers to

say that they cannot do anything; they have not got the money to do anything; they have not the opportunity to do good to the people and yet they are entrusted with the nation-building departments—a big phrase "the nation-building departments"—under circumstances in which it is impossible to build up anything. My answer to those who ask why I want to destroy is this: I want to destroy because this rotten structure is occupying the place where a beautiful mansion may be erected. May I ask how else you can put up a beautiful building without pulling down the rotten structure which has already occupied the place? You cannot. Therefore there is no sense in that criticism—destruction! destruction! We do not want to destroy merely. It is a gross libel on the Swarajist members to say that we want only to destroy—we want to destroy in order that we may be able to build up. We want to obstruct, it is because we may get the opportunity of constructing. It is to my mind a principle as simple as it can be. Why it is so difficult for my friends to realise it, I cannot make out. Why! Look at the history of any country: look at the history of England. This sort of thing has gone on there and no power has come to the people without this obstruction. It is a wicked and pernicious system. One thing was good for England, because it brought freedom for the English people, but that very thing is bad in this country because it is the wicked Swarajists who apply it.

Then, I have been asked one question. I won't take up much of your time, because I feel already exhausted. One question has been put to me. First of all, it is this: the principle of co-operation has been extolled by Sir Provash and other speakers. Well, may I point out for the last time—I think it is the thousandth time that I am speaking on it—that I am not opposed to co-operation: no Swarajist is ever opposed to co-operation; but co-operation is not possible under this system. (Hear, hear.) If you drop the prefix "co," then I can explain, otherwise I do not understand how it is possible to co-operate under this system. Does co-operation merely mean submission? Does the Government give up anything? No; they must have everything in their own way; and co-operation means that we, the people of India, must follow them and submit to them. Well, I have never understood the word "co-operation" in that sense, and I say that I want to co-operate: but put me in the way of honest co-operation; but co-operation, honest co-operation cannot be offered now to-day. It cannot be, because your system cannot allow of it. It can be done when you have improved your system—when there is real *give and take*, when there is anxiety on the part of the Government to relieve the distress of the people, to recognise the rights of the Indian people: whereas what do you find now. There is no such desire at all. Every cry for freedom must be checked. Every attempt to make ourselves free must be cried down. Every effort on our part to work out our salvation must be treated as a criminal offence; and under these circumstances you ask

for the co-operation of the people. What co-operation can they give you? Those who say that they want to co-operate with you, do you think you get their sincere view? I do not think so. I do not think that sincere co-operation is possible under these circumstances. But I will not allow you to say that the Swarajists are against co-operation. The Swarajists want to co-operate with a government which is honourable, which is for the people and which is bent upon doing good to the people—that is the kind of government with which the Swarajists are willing to co-operate.

Now, Sir, another friend has asked me, what would be the effect of killing dyarchy? Well, it reminds me of a question which was put to an Indian sage of ancient times. He was the follower of god Krishna, and one of his disciples asked him what was the good of seeing Krishna and his answer was: "Seeing Krishna is the good of seeing Krishna" Here, it is that we want a living constitution—a tree constitution—a constitution in which honourable men can work with honourable friends; and we say that the whole field is covered with a sham institution. The effect of killing dyarchy is to enable the beautiful mansion, to which I have referred, to be constructed—that is the effect of it. It is not very difficult to understand it. If you leave out your race-prejudice, if you take the good of the country to heart, if you put yourselves the simple question that, after all, government must mean a government by the people for the people and for the good of the people: If you accept that, it is easy to understand what the effect of killing dyarchy will be.

A further question has been put to me—What are you going to do afterwards? That is as circumstances develop. What we want to do and what we want not to do, we make no secret of it. Even if the House decides to-day against this motion, we, the Swarajists will always adopt this attitude: this system is bad, this system is wicked and as honourable men and as honest men we cannot co-operate with the Government under this system. That is the position of the Swarajists. It is asked what we are to do next. I will try to oppose this motion to-day. If it is not accepted, there are only two courses open to the Government—either to take back the transferred departments, in which I shall glory, and then all the iniquities—the responsibilities of the system be on the government which started it. If on the other hand they order a dissolution I should also be equally glad because that means—and on that point I am in entire agreement with the Government of Bengal—that the Swarajists would come back in overwhelming numbers. That would be to our advantage also. One of these two things must follow and then there is the country behind us. My friends who put this question to me think that this Council is everything in this country. It is not, and I venture to say so to-day. I have been told that the Conservative Government will not be coerced. I do not know whether they will be coerced or not. I do not want them to be

coerced. I do not want any number of honourable men to be coerce by anything. But surely even the Conservative Government must se that there is such a thing as the will of the people and that in the en the will of the people must be carried out—I do not want whether it i the Conservative or the Labour or the Liberal Government which carrie it out. These are empty words so far as I am concerned. I am fo giving effect to the will of the people. That will must be declared ofte and often in as many ways as the will of the people can be declared an I venture to think that no Government in the world—Conservative o Labour or Liberal—no Government in the world can for ever despise th will of a great country like India.

**The Hon'ble Sir HUGH STEPHENSON:** I will not take the time of the Council for long, partly because I have been left such a very short time before the discussion automatically closes, partly because the question has been already debated in this House time after time and partly because I may assume from the course of business that the Whips of the Swaraj party have already decided the issue and the Whips are generally right. I do not propose to follow up the discus sion of Babu Naliniranjan Sarker on the Muddiman Committee repor nor do I propose to comment on Mr. J. M. Sen Gupta's hymn of hate which was admirably adapted to attain his object which I presume wa to stop recruitment from England for the all-India services. Regard ing the speeches of Rai Harendranath Chaudhuri and Kumar Shib Shek hareswar Ray, they dealt with amendments to which I ventured to refe last Thursday and for reference to which I was pulled up no less tha four times. I have repeatedly said that Government have no wish t interfere with the undoubted right of the House to fix the amount o Ministers' salaries, but their wish is to place clear issues before the House and to do that it was necessary to suggest a convention or take a conventional figure. These gentlemen have motions which will reduce the pay to just below that figure. But I am glad that Government have correctly assumed that they will not wish to give a Minister less than that figure; both of them have taken the same figure, Rs. 3,000, a the lowest suitable salary for a Minister. The Kumar Sahib has sai that his object in moving a reduction from that figure was to censure the present Ministers for taking office. The Kumar Sahib may or may not have an opportunity of moving a vote of censure on the presen Ministers, but in any case he has himself shown that he has no rea grievance against the procedure adopted by Government.

Mr. Fazl-ul Huq is the *deus ex machina* this afternoon, but eve with the real Jupiter Mr. C. R. Das's explanation of his attitude, I am still unable to find even one small reason why Mr. Fazl-ul Huq ha changed his mind since February 17. There is a saying "whom th gods love, die young" and Mr. Huq's reason for killing dyarchy appears to be that he loves it so much. The real purpose of his speech

seemed to be an endeavour to cloud the issue. Government have tried to put before the House a clear issue and Mr. Huq has tried to cloud it. The effect of the voting to-night is perfectly clear. If the motion for refusal is thrown out there will be Ministers. If it is carried then it will be clear that the House do not want Ministers. This brings me to one point in Babu Naliniranjan Sarker's speech to which I should like to advert and that is his statement that there is considerable doubt as to the consequences of the vote upon this motion, and he brought in a reference to backward provinces. Whether this was intended to be a red-herring across the trail or was merely ignorance I do not know. But there is no question of declaring Bengal a backward province. The consequences of the vote are clear. If this motion is thrown out there will be Ministers. If this motion is carried then there will be no Ministers. And as it is impossible for the Government to carry on permanently as they have done under the Temporary Administration Rules which give rise to an absolutely unsatisfactory situation, there is only one other alternative for Government and that is to ask the Government of India to apply to the Secretary of State for retransferring the transferred subjects. That is the question which the Council has to decide. Do you want Ministers or do you want the retransferring of the transferred subjects to the reserved side?

**Mr. C. R. DAS:** We do not want any Ministers on these conditions.

**The Hon'ble Sir HUGH STEPHENSON:** It is entirely within the province of this Council to make the decision and I leave the question there.

The motion that the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be refused was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Tayebuddin.
Ahmed, Maulvi Zannoor.
Ali, Maulvi Sayyed Sultan.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chatterjee, Babu Umes Chandra.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Bereda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammad, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Masih, Mr. Syed M.

Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Naskar, Babu Hem Chandra.
Neogi, Babu Manmohan.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Chaudhuri, Babu Sailaja Nath.
Roy Chaudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Rai Sahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
Du, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 69 and the Noes 63, the motion was carried.

The motions of Maulvi Sayedul Hoque, Dr. Kumud Sankar Ray, Shah Syed Emdadul Haq, Babu Khagendra Nath Ganguly, Maulvi Kader Baksh, Maulvi Abdur Raschid Khan, Kumar Shib Shekhareswar Ray, Rai Harendranath Chaudhuri and Babu Naliniranjan Sarker were not put as they were covered by the foregoing decision of the Council.

The time-limit having been reached the following motions were not dealt with:—

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 56,000.

**Maulvi ZANNOOR AHMED:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers" for the salary of 2 Ministers be reduced by Rs. 47,024.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 44,000.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 32,000.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred)" for pay of officers (Ministers) be reduced by Rs. 2,833.

**Babu MANMOHON NEOGI:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Ministers" be reduced by Rs. 2,400.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred)" for pay of officers (Ministers) be reduced by Rs. 2,333.

**Rai HARENDRANATH CHAUDHURI:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers (Transferred)—Pay of Ministers" be reduced by Rs. 100.

**Babu NALINIRANJAN SARKER, Babu MANMOHON NEOGI, Maulvi WAHED HOSSAIN, Babu BEJOY KRISHNA BOSE, Maulvi SAYEDUL HOQUE, Maulvi ABDUR RASCHID KHAN, SHAH SYED EMDADUL HAQ and Mr. N. C. SEN:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Re. 1.

**Babu NALINIRANJAN SARKER:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Salaries of 2 Ministers" be reduced by Re. 1 from the provision made for the Minister of Local Self-Government, Excise, etc.

**Babu NALINIRANJAN SARKER:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Salaries of 2 Ministers" be reduced by Re. 1 from the provision made for the Minister of Agriculture and Industries and Education.

**Rai HARENDRANATH CHAUDHURI, Maulvi EKRAMUL HUQ, Babu NALINIRANJAN SARKER, Babu MANMOHON NEOGI, Babu TARAKNATH MUKERJEA, Babu BEJOY KRISHNA BOSE, Babu**

Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Pahlowan, Maulvi Md. Abdul Jubbar.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Ray Chaudhuri, Babu Sailaja Nath.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Singha, Mr. Arun Chandra.
Suhrawardy, Dr. A.
Suhrawardy, Mr. H. S.
Tarafdar, Maulvi Rajib Uddin.
Yasin, Maulvi Muhammad.

NOES.

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Aley, Khan Bahadur S. Mahboob.
Ali, Mr. Altaf.
Band, Mr. R. N.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Eddis, Mr. S. E. C.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Khaitan, Babu Debi Prosad.
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Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Morgan, Mr. C.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilell Singh.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. F.
Woodhead, Mr. J. A.

The Ayes being 69 and the Noes 63, the motion was carried.

The motions of Maulvi Sayedul Hoque, Dr. Kumud Sankar Ray, Shah Syed Emdadul Haq, Babu Khagendra Nath Ganguly, Maulvi Kader Baksh, Maulvi Abdur Raschid Khan, Kumar Shib Shekhareswar Ray, Rai Harendranath Chaudhuri and Babu Naliniranjan Sarker were not put as they were covered by the foregoing decision of the Council.

The time-limit having been reached the following motions were not dealt with:—

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head "22E.—Ministers—Pay of Officers—2 Ministers" be reduced by Rs. 56,000.

**Maulvi ZANNOOR AHMED:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers " for the salary of 2 Ministers be reduced by Rs. 47,024.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Pay of Officers—2 Ministers " be reduced by Rs. 44,000.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Pay of Officers—2 Ministers " be reduced by Rs. 32,000.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers (Transferred) " for pay of officers (Ministers) be reduced by Rs. 2,833.

**Babu MANMOHON NEOGI:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Pay of Ministers " be reduced by Rs. 2,400.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers (Transferred) " for pay of officers (Ministers) be reduced by Rs. 2,333.

**Rai HARENDRANATH CHAUDHURI:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers (Transferred)—Pay of Ministers " be reduced by Rs. 100.

**Babu NALINIRANJAN SARKER, Babu MANMOHON NEOGI, Maulvi WAHED HOSSAIN, Babu BEJOY KRISHNA BOSE, Maulvi SAYEDUL HOQUE, Maulvi ABDUR RASCHID KHAN, SHAH SYED EMDADUL HAQ and Mr. N. C. SEN:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Pay of Officers—2 Ministers " be reduced by Re. 1.

**Babu NALINIRANJAN SARKER:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Salaries of 2 Ministers " be reduced by Re. 1 from the provision made for the Minister of Local Self-Government, Excise, etc.

**Babu NALINIRANJAN SARKER:** That the demand of Rs. 1,28,000 under the head " 22E.—Ministers—Salaries of 2 Ministers " be reduced by Re. 1 from the provision made for the Minister of Agriculture and Industries and Education.

**Rai HARENDRANATH CHAUDHURI, Maulvi EKRAMUL HUQ, Babu NALINIRANJAN SARKER, Babu MANMOHON NEOGI, Babu TARAKNATH MUKERJEA, Babu BEJOY KRISHNA BOSE, Babu**

**HEMANTA KUMAR SARKAR, Maulvi SAYEDUL HOQUE, Dr. KUMUD SANKAR RAY, Maulvi ABDUR RASCHID KHAN, SHAH SYED EMDADUL HAQ, Babu KHAGENDRA NATH GANGULY, Maulvi WAHED HOSSAIN, Mr. N. C. SEN and Mr. J. M. SEN GUPTA:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Pay of Officers—2 Council Secretaries" be refused.

**Maulvi KADER BAKSH:** That the demand of Rs. 48,000 under the head "22E.—Ministers—2 Council Secretaries" be reduced by Rs. 47,999.

**Dr. KUMUD SANKAR RAY and Mr. J. M. SEN GUPTA:** That the demand of Rs. 48,000 under the head "22E.—Salary of Council Secretaries" be reduced by Rs. 47,998.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Secretaries" be reduced by Rs. 42,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Secretaries" be reduced by Rs. 40,000.

**Maulvi MD. NURUL HUQ CHAUDHURY, Maulvi ZANNOOR AHMED and Maulvi SAYEDUL HOQUE:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Secretaries" be reduced by Rs. 36,000.

**Maulvi ABDUR RASCHID KHAN, Maulvi MD. NURUL HUQ CHAUDHURY, SHAH EYED EMDADUL HAQ, Maulvi WAHED HOSSAIN and Mr. K. C. RAY CHAUDHURI:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Pay of Officers—2 Council Secretaries" be reduced by Rs. 24,000.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Pay of 2 Council Secretaries" be reduced by Rs. 12,000.

**SHAH SYED EMDADUL HAQ:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Pay of 2 Council Secretaries" be reduced by Rs. 6,000.

**Maulvi ABDUR RASCHID KHAN and SHAH SYED EMDADUL HAQ:** That the demand of Rs. 48,000 under the head "22E.—Ministers—Pay of Officers—2 Council Secretaries" be reduced by Re. 1.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 3,000 under the head "22E.—Ministers—Pay of Establishment—14 Servants" be refused.

**Babu KHAGENDRA NATH CANCULY:** That the demand of Rs. 3,000 under the head "22E.—Ministers—Pay of Establishment—14 Servants" be reduced by Rs. 2,500.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 3,000 under the head "22E.—Ministers (Transferred)" for pay of establishment be reduced by Rs. 1,776.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 3,000 under the head "22E.—Ministers—Pay of Establishment—14 Servants" be reduced by Rs. 1,000.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 3,000 under the head "22E.—Ministers—Pay of Establishment—14 Servants" be reduced by Re. 1.

**Babu MANMOHON NEOGI, Maulvi WAHED HOSSAIN, Maulvi SAYEDUL HOQUE, Dr. KUMUD SANKAR RAY, Maulvi ABDUR RASCHID KHAN and Mr. J. M. SEN GUPTA:** That the demand of Rs. 13,000 under the head "22E.—Ministers—Travelling Allowances" be refused.

**Babu KHAGENDRA NATH CANCULY:** That the demand of Rs. 13,000 under the head "22E.—Allowance, etc.—Travelling Allowances" be reduced by Rs. 12,000.

**Maulvi WAHED HOSSAIN:** That the demand of Rs. 13,000 under the head "22E.—Ministers (Transferred)" for Travelling allowances be reduced by Rs. 7,500.

**Rai HARENDRANATH CHAUDHURI and Babu TARAKNATH MUKERJEA:** That the demand of Rs. 13,000 under the head "22E.—Ministers (Transferred)—Allowances—Travelling Allowances" be reduced by Rs. 6,000.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 13,000 under the head "22E.—Ministers—Allowances, etc.—Travelling Allowances" be reduced by Rs. 4,000.

**Maulvi ZANNOOR AHMED:** That the demand of Rs. 13,000 under the head "22E.—Ministers—Travelling Allowances" be reduced by Rs. 3,000.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 13,000 under the head "22E.—Ministers—Allowances, etc.—Travelling Allowances" be reduced by Re. 1.

**Maulvi ZANNOOR AHMED, Maulvi SAYEDUL HOQUE, Dr. KUMUD SANKAR RAY, Maulvi ABDUR RASCHID KHAN, Babu**

**KHAGENDRA NATH CANGULY, Maulvi WAHED HOSSAIN and Mr. J. M. SEN GUPTA:** That the demand of Rs. 400 under the head "22E.—Ministers—Hill Allowance" be refused.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 400 under the head "22E.—Ministers—Hill Allowance" be reduced by Re. 1.

**Dr. KUMUD SANKAR RAY, Maulvi ABDUR RASCHID KHAN, Maulvi WAHED HOSSAIN and Mr. J. M. SEN GUPTA:** That the demand of Rs. 9,600 under the head "22E.—Ministers—Supplies and Services and Contingencies—Miscellaneous" be refused.

**Babu KHAGENDRA NATH CANGULY:** That the demand of Rs. 9,600 under the head "22E.—Ministers—Supplies and Services and Contingencies—Miscellaneous" be reduced by Rs. 8,000.

**Maulvi WAHED HOSSAIN and Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 9,600 under the head "22E.—Ministers—Supplies and Services and Contingencies—Miscellaneous" be reduced by Rs. 4,600.

**Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 9,600 under the head "22E.—Ministers—Supplies and Services and Contingencies—Miscellaneous" be reduced by Re. 1.

**Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMOHON NEOGI, Babu SUDARSAN CHAKRAVORTY, Babu HEMANTA KUMAR SARKAR, Babu BORODA PROSAD DEY, Maulvi SAYEDUL HOQUE, Dr. KUMUD SANKAR RAY, SHAH SYED EMDADUL HAQ, Maulvi ABDUR RASCHID KHAN, Babu MANMATHA NATH ROY and Mr. J. M. SEN GUPTA:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be refused.

**Maulvi MD. NURUL HUQ CHAUDHURY and Babu MANMATHA NATH ROY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 2,01,998.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 2,00,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,80,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,70,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,60,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,50,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,40,000.

**Maulvi KADER BAKSH:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,36,599.

**Babu BORODA PROSAD DEY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers (Transferred)" be reduced by Rs. 1,35,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,30,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,20,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,10,000.

**Maulvi SAYEDUL HOQUE:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers (Transferred)" be reduced by Rs. 1,01,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 1,00,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 99,000.

**Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 90,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Rs. 80,000.

**Maulvi MD. NURUL HUQ CHAUDHURY, Babu HEMANTA KUMAR SARKAR, Maulvi SAYEDUL HOQUE and Maulvi ABDUR RASCHID KHAN:** That the demand of Rs. 2,02,000 under the head "22E.—Ministers" be reduced by Re. 1."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 19,080 under the head '22F.—Legislative Council' for other gazetted officers of the Legislative Department (page 52, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 1,00,000 under the head '22F.—Legislative Council—Legislative Department travelling allowance' (page 52, Civil Estimate) be reduced by Rs. 80,000."

**Dr. KUMUD SANKAR RAY:** "That the demand of Rs. 2,000 under the head '22F. Legislative Council' for hill allowances (page 52, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,02,000 under the head '22F. Legislative Council Allowances, Honoraria, etc.' (page 52, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,02,000 under the head '22F. Legislative Council Allowances, Honoraria, etc.' (page 52, Civil Estimate) be reduced by Rs. 15,500."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 1,500 under the head '22F. Legislative Council Legislative Department Purchase of Books' (page 52, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,91,000 under the head '22F. Legislative Council' (page 53, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 2,91,000 under the head '22F. Legislative Council' (page 53, Civil Estimate) be reduced by Rs. 32,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 4,000 under the head '22G. Civil Secretariat' for Officer on Special Duty, Judicial, Political and Appointment Departments (page 54, Civil Estimate) be refused."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 11,400 under the head '22G.—Civil Secretariat—Judicial, Political and Appointment Departments—Temporary Establishment' (page 54, Civil Estimate) be reduced by Rs. 5,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB JOARDAR:** "That the demand of Rs. 5,000 under the head '22G.—Civil Secretariat—Judicial, Political and Appointment Departments' for lump provision for Publicity Officers (page 54, Civil Estimate) be refused."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 2,56,000 under the head '22G. Civil Secretariat—Judicial, etc., Departments' (page 54, Civil Estimate) be reduced by Rs. 9,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 7,000 under the head '22G.—Civil Secretariat—Revenue Department' for Officer on Special Duty (page 54, Civil Estimate) be refused."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 10,000 under the head '22G.—Civil Secretariat' for Officer on Special Duty Finance, Commerce and Marine Department, (page 55, Civil Estimate) be refused."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,43,595 under the head '22G.—Civil Secretariat—Finance, Commerce and Marine Departments' for clerks (page 55, Civil Estimate) be reduced by Rs. 12,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 15,000 under the head '22G.—Civil Secretariat Allowances' for Travelling Allowance (page 55, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 15,000 under the head "22G.—Civil Secretariat—Travelling Allowance' (page 55, Civil Estimate) be reduced by Rs. 1,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 15,000 under the head '22G.—Civil Secretariat—Allowances' for Hill Allowances, (page 55, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 15,000 under the head '22G.—Civil Secretariat—Hill Allowance' (page 55, Civil Estimate) be reduced by Rs. 3,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 52,500 under the head '22G.—Civil Secretariat—Contingencies' (page 55, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat—Reserved' (page 53, Civil Estimate) be refused."

**Babu TARAKNATH MUKERJEA:** *"That the demand of Rs. 7,48,000 under the head '22G.—General Administration—Civil Secretariat' (page 53, Civil Estimate) be reduced by Rs. 1,48,000."*

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat—Reserved' (page 53, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat" (page 53, Civil Estimate) be reduced by Rs. 78,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat' (page 53, Civil Estimate) be reduced by Rs. 63,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat Reserved (page 53, Civil Estimate) be reduced by Rs. 44,000."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 7,48,000 for expenditure under the head '22G.—Civil Secretariat' (page 53, Civil Estimate) be reduced by Re. 1."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 1,44,000 under the head '22G.—Local Self-Government and Education Departments' (page 57, Civil Estimate) be reduced by Rs. 33,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 57,000 under the head '22G.—Civil Secretariat—Agriculture and Industries Departments' (page 57, Civil Estimate) be reduced by Rs. 33,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,53,000 under the head '22G.—Civil Secretariat—Transferred' (page 56, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 3,960 under the head '22H.—Board of Revenue—Temporary Establishment' (page 59, Civil Estimate) be reduced by Rs. 500."

**Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 83,600 under the head '22H.—Board of Revenue' (page 60, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 83,600 under the head '22H.—Board of Revenue' (page 60, Civil Estimate) be reduced by Rs. 53,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,50,000 under the head '22I.—Local Fund Audit Establishment' (page 61, Civil Estimate) be reduced by Rs. 10,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 20,000 under the head '22J.—Commissioners—Salaries, Establishment, etc.' for Travelling Allowance (page 62, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA and Mr. N. C. SEN:** "That the demand of Rs. 1,600 under the head '22J.—Commissioners—Purchase and keep of Elephants' (page 62, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA, Babu BEJOY KRISHNA BOSE, Babu KHAGENDRA NATH GANGULY, Maulvi MD. NURUL HUQ CHAUDHURY, Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR, Babu JOGINDRA CHANDRA CHAKRAVARTI, Maulvi SAYEDUL HOQUE and Babu AKHIL CHANDRA DATTA:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be reduced by Rs. 2,59,999."

**Babu BORODA PROSAD DEY, Maulvi SAYEDUL HOQUE and Mr. N. C. SEN:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be reduced by Re. 1."

**Rai HARENDRANATH CHAUDHURI, Babu MANMOHON NEOGI and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 83,000 under the head '22—General Administration—District Administration' for the appointment of Circle Officers (page 31, Budget) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' (page 63, Civil Estimate) be reduced by Rs. 2,60,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment—Pay of Deputy and Sub-Deputy Collectors' (page 63, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment' for Deputy and Sub-Deputy Magistrates (page 63, Civil Estimate) be reduced by Rs. 83,000."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 7,48,000 under the head '22G.—General Administration—Civil Secretariat' (page 53, Civil Estimate) be reduced by Rs. 1,48,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat—Reserved' (page 53, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat" (page 53, Civil Estimate) be reduced by Rs. 78,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat' (page 53, Civil Estimate) be reduced by Rs. 63,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 7,48,000 under the head '22G.—Civil Secretariat Reserved (page 53, Civil Estimate) be reduced by Rs. 44,000."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 7,48,000 for expenditure under the head '22G.—Civil Secretariat' (page 53, Civil Estimate) be reduced by Re. 1."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 1,44,000 under the head '22G.—Local Self-Government and Education Departments' (page 57, Civil Estimate) be reduced by Rs. 33,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 57,000 under the head '22G.—Civil Secretariat—Agriculture and Industries Departments' (page 57, Civil Estimate) be reduced by Rs. 33,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,53,000 under the head '22G.—Civil Secretariat—Transferred' (page 56, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 3,960 under the head '22H.—Board of Revenue—Temporary Establishment' (page 59, Civil Estimate) be reduced by Rs. 500."

**Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 83,600 under the head '22H.—Board of Revenue' (page 60, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 83,600 under the head '22H.—Board of Revenue' (page 60, Civil Estimate) be reduced by Rs. 53,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,50,000 under the head '22I.—Local Fund Audit Establishment' (page 61, Civil Estimate) be reduced by Rs. 10,000:"

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 20,000 under the head '22J.—Commissioners—Salaries, Establishment, etc.' for Travelling Allowance (page 62, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA and Mr. N. C. SEN:** "That the demand of Rs. 1,600 under the head '22J.—Commissioners—Purchase and keep of Elephants' (page 62, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA, Babu BEJOY KRISHNA BOSE, Babu KHAGENDRA NATH GANGULY, Maulvi MD. NURUL HUQ CHAUDHURY, Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR, Babu JOGINDRA CHANDRA CHAKRAVARTI, Maulvi SAYEDUL HOQUE and Babu AKHIL CHANDRA DATTA:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be reduced by Rs. 2,59,999."

**Babu BORODA PROSAD DEY, Maulvi SAYEDUL HOQUE and Mr. N. C. SEN:** "That the demand of Rs. 2,60,000 under the head '22J.—Commissioners' (page 62, Civil Estimate) be reduced by Re. 1."

**Rai HARENDRANATH CHAUDHURI, Babu MANMOHON NEOGI and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 83,000 under the head '22.—General Administration—District Administration' for the appointment of Circle Officers (page 31, Budget) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' (page 63, Civil Estimate) be reduced by Rs. 2,60,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment—Pay of Deputy and Sub-Deputy Collectors' (page 63, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment' for Deputy and Sub-Deputy Magistrates (page 63, Civil Estimate) be reduced by Rs. 83,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 26,93,000 under the head '22K.—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' (page 63, Civil Estimate) be reduced by Re. 1."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 28,53,000 under the head '22K.—General Establishment—Pay of Officers' (page 63, Civil Estimate) be reduced by Rs. 51,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 3,82,000 under the head '22K.—General Establishment' for travelling allowance (page 64, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 3,82,000 under the head '22K.—General Establishment—Travelling Allowance' (page 64, Civil Estimate) be reduced by Rs. 50,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 48,000 under the head '22K.—General Establishment' for house rent and other allowances (page 64, Civil Estimate) be reduced by Rs. 10,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 49,000 under the head '22K.—General Establishment—Law Charges' (page 64, Civil Estimate) be reduced by Rs. 4,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 58,95,100 under the head '22K.—General Establishment' (page 65, Civil Estimate) be reduced by Rs. 3,00,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 58,95,100 under the head '22K.—General Establishment' (page 65, Civil Estimate) be reduced by Rs. 2,00,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of 58,95,100 under the head '22K.—General Establishment' (page 65, Civil Estimate) be reduced by Rs. 83,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 58,95,100 under the head '22K.—General Establishment' (page 65, Civil Estimate) be reduced by Re. 1."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,58,000 under the head '22K.—General Establishment' for Treasury Establishment (page 66, Civil Estimate) be reduced by Rs. 16,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 18,800 under the head '22M.—Other Establishment—Ferry Charges' (page 67, Civil Estimate) be reduced by Rs. 7,000."

**Mr. N. C. SEN:** "That the demand of Rs. 24,800 under the head '22M.—Other Establishment' for Circuit Houses (page 67, Civil Estimate) be reduced by Rs. 10,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 24,800 under the head '22M.—Other Establishment' for Circuit Houses (page 67, Civil Estimate) be reduced by Re. 1."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 43,600 under the head '22M.—Other Establishment' (page 67, Civil Estimate) be refused."

**Babu Bejoy KRISHNA BOSE and SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 43,600 under the head '22M.—Other Establishment' (page 67, Civil Estimate) be reduced by Rs. 30,000."

**Maulvi ASIMUDDIN AHAMAD and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 61, 53,100 under the heads '22K to 22M.—District Administration' (page 63, Civil Estimate) be refused."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 61,53,100 under the heads '22K to 22M.—District Administration' (page 63, Civil Estimate) be reduced by Rs. 10,83,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 61,53,100 under the heads '22K to 22M.—District Administration' (page 63, Civil Estimate) be reduced by Rs. 10,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 61,53,100 under the heads '22K to 22M.—District Administration' (page 63, Civil Estimate) be reduced by Rs. 3,00,000."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 61,53,100 under the head '22K.—General Administration' (page 63, Civil Estimate) be reduced by Rs. 2,53,100."

**Babu BORODA PROSAD DEY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 61,53,100 under the heads "22K to 22M.—District Administration' (page 63, Civil Estimate) be reduced by Re. 1."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 67,36,000 under the heads '22K to 22M—District Administration' (page 27, Budget) be refused."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 67,36,000 under the heads '22K to 22M.—District Administration' (page 27, Budget) be reduced by Rs. 83,000."

**Babu MANMATHA NATH ROY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 91,63,000 under the head '22.—General Administration (Reserved)' (page 27, Budget) be refused."

**Babu ROMES CHANDRA BACCHI, Mr. J. M. SEN GUPTA, Maulvi ASIMUDDIN AHAMAD, SHAH SYED EMDADUL HAQ, Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMATHA NATH ROY, Maulvi SAYEDUL HOQUE, Mr. KIRAN SANKAR ROY, and Babu SATCOWRIPATI ROY:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' (page 47, Civil Estimate) be refused."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' (page 47, Civil Estimate) be reduced by Rs. 6,33,000."

**SHAH SYED EMDADUL HAQ and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' (page 47, Civil Estimate) be reduced by Rs. 6,00,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' (page 47, Civil Estimate) be reduced by Rs. 5,00,000."

**Dr. H. W. B. MORENO:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' (page 47, Civil Estimate) be reduced by Rs. 100."

**Dr. PRAMATHANATH BANERJEA, SHAH SYED EMDADUL HAQ and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 96,17,800 under the head '22.—General Administration' be reduced by Re. 1."

**The Hon'ble Sir HUGH STEPHENSON:** In view of the vote of the Council, I beg to submit that, with the consent of the Council, the demand may be reduced by a further sum of Rs. 74,000 being the sum allotted for the establishment of the Ministers.

This was agreed to.

The demand that a sum of Rs. 96,17,800, as amended in Council, be granted for expenditure under the head "22.—General Administration" (page 47, Civil Estimate), was then put.

Maulvi Md. Nurul Huq Chaudhury stood up and the Hon'ble the President ordered a division to be taken.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I stood up but I never called for a division.

**Mr. PRESIDENT:** When you stand up after I say that the Ayes have it, I must take it that you claim a division.

A division was then taken with the following result:

**AYES.**

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Banerjee, Rai Bahadur Abinash Chandra.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Birley, Mr. L.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. C. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Khaitan, Babu Debi Prosad.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mittar, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Rahim, the Hon'ble Sir Abd-ur-.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

**NOES.**

*Nil.*

The Ayes being 46 and the Noes nil, the motion was carried.

## Adjournment.

The Council was then adjourned till 3 P.M. on Tuesday, the 24th March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 24th March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council and 117 nominated and elected members.

## Ballot for the Committee on Public Accounts and other Standing Committees.

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** I have to inform the Council that the ballot for the Committee on Public Accounts and the various Standing Committees will be held to-morrow. The ballot for the Committee on Public Accounts will be taken in this Chamber at 5 minutes past 2 o'clock, and thereafter the ballot for the Standing Committees will be taken in the Committee Room and attached rooms. The ballot for the Standing Committees will be closed at 2-45 P.M.

I have also to announce that His Excellency has ordered that the election for Standing Committees for reserved subjects will be held, but that no election for Committees relating to transferred subjects will be held at the present time.

## The Budget of the Government of Bengal for the year 1925-26.

### Demands for Grants.

24.—ADMINISTRATION OF JUSTICE.

The discussion on the demands for grants was then resumed.

**MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim):** I beg to move that a sum of Rs. 84,30,000 be granted under the head "24.—Administration of Justice."

I have no general observations or remarks to make at this stage. I made what remarks I thought desirable to make during the discussion of the Budget, but when these amendments are moved, I shall be very glad to explain to the House the position of the Government in regard to them.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I beg to move that the demand of Rs. 2,000 under the head 24A.—High Court—Judges' Travelling Allowance" (page 69, Civil Estimate) be refused.

Sir, every year this amount is being provided for the travelling allowance of the High Court Judges in order that they may go into the interior of the districts and inspect the District Courts or other Courts subordinate to the High Court. In the year 1923-24 the actual amount that was spent on this head was Rs. 8,526, and last year the Budget estimate was Rs. 2,000, and the Revised estimate showed the same figure, but we do not know whether the money has been spent or not. However, in this connection, I have to discuss the general policy that is adopted in the High Court ——

**Mr. PRESIDENT:** What particular branch of the policy do you want to discuss along with this amendment?

**Maulvi MD. NURUL HUQ CHAUDHURY:** The motion is for the total rejection of the travelling allowance, and not reduction by any amount. Therefore, there is a policy involved in it and that policy I want to discuss.

**Mr. PRESIDENT:** If you wish to discuss the general policy, you are at liberty to do so on motion No. 630 which proposes to reduce the whole demand by Re. 1.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Motion No. 630 is for the reduction of the demand for the "Administration of Justice." I am just now dealing with the matter in regard to the High Court.

**Mr. PRESIDENT:** Very well, Maulvi Sahib.

**Maulvi MD. NURUL HUQ CHAUDHURY:** That being the case, Sir, at the present moment, we have got 16 Judges in the Calcutta High Court, and very lately the Chief Justice asked for two more additional Judges. I do not know whether the Government of Bengal was opposed to this proposal or not, but sanction was given for the appointment of one additional Judge, and the other appointment has been held in abeyance, till funds are forthcoming. This Council has no control whatever over the Administration of Justice in the High Court, and we are used as a buffer between the Government of India and the High Court. When the High Court wants money, the Bengal Council must provide it, whether they agree to the policy adopted by the High Court or not. This is a very anomalous position. The High Court says that they are part and parcel of the Government of India and hence are under the control of the Government of India, but the High Court primarily being within the jurisdiction of the province of Bengal and situated at Calcutta, the Government of Bengal must

provide funds for the High Court; the attitude taken by the Calcutta High Court is that they have not only to administer justice for the province of Bengal, but also for Assam. There being two territorial jurisdictions, that is Bengal and Assam, the Bengal Government has to provide the money, and it is the Government of India who is to dictate the policy. However, we have no quarrel over that, but the most ideal thing would have been that, if we, the people of Bengal, have to provide the money for the High Court, then we must have something to say with regard to its policy, but we are precluded from doing that. A pious resolution was passed by this Council, when I was not a member, and it was accepted by Government, to the effect that an increased number of appointments should be given to Muhammadans in the Judicial (Provincial) Service. From 1920 to 1923 there were very few appointments, only one or two. In the year 1924, the Government of Bengal intimated to the Calcutta High Court that they were willing to appoint, or rather to recruit, 6 more men for the Provincial Judicial Service, and the request was made to the High Court that a sufficient number of Muhammadans ought to be selected for the appointments. With great respect to my friend Mr. Liddell, I must say that he tried his utmost to induce some of the Muhammadan lawyers practising in the mufassal to apply for some of these posts, and they did so. I may tell you that there were about 89 applicants very well qualified for these posts. But with the exception of one, none were taken. I do not bear any grudge against anybody, but I must say that the High Court has not paid any heed to the resolution unanimously accepted by this Council, nor have they cared a bit for the opinion of the Government of Bengal, yet the Government of Bengal have to provide money for them. If the money is to be provided by the Government of Bengal, why should not the Legislative Council have a say in the matter? To a certain extent the High Court must be amenable to the wishes of the local legislature, but there is a difference of opinion on this point. The High Court have to administer the laws that are promulgated by this Council, and I do not understand why, if certain sums are required to be given to the High Court, this Council should not have a voice in determining the amount. By a stroke of the pen, or rather by a stroke of imagination the sum of Rs. 24,000 that was provided for the Paper Book Department——

**Mr. PRESIDENT:** Maulvi Sahib, you are travelling very wide. I have not heard a single remark in your speech as to why you oppose the travelling allowance of the Judges. You cannot go into the question of the Paper Book Department. There is a motion about the Paper Book Department, and you can discuss this when we come to that.

**Maulvi MD. NURUL HUQ CHAUDHURY:** There is none. You wrote to me, Sir, that that was non-votable.

**Mr. PRESIDENT:** Yes. I recollect that now.

**Maulvi MD. NURUL HUQ CHAUDHURY:** What I was going to say was that by a stroke of the pen a sum of Rs. 24,000 was made non-votable. Last year in this Council, a sum of Rs. 30,000 that was provided under this head, was thrown out but certified by the Governor. We have no quarrel with that. I could have understood if the whole amount had been made non-votable like the pay of the officers of the Civil Service, the Medical, Forest, Educational and other Services that come to India under contract with the Secretary of State for India in Council. I do not see any reason why the amount provided for the Standing Counsel, the Official Receiver, the Official Assignee, the Administrator-General and the Government Solicitor, should be votable and also the amounts provided for the Registrar's establishments, Appellate or Original, should be votable. If the expenditure for the Paper Book Department is non-votable, why should the same in other departments be votable? I say that the whole thing, except the pay of the Hon'ble Judges or the members of the Services who come under contract, should be made votable. I asked a question in this Council which was disallowed and it was to the effect that there is a particular Criminal Bench presided over by two eminent Judges of the High Court, the Hon'ble Mr. Justice Newbould and the Hon'ble Mr. Justice B. B. Ghose; my question was since 1922, how long they had been sitting, how many motions they had admitted, rejected, and how many discharged and made absolute. The reply I got was that the High Court not being subject to the jurisdiction of the Bengal Council, no answer could be given. I have looked into the Bengal Council Manual and there I found that in the case of the Post Office although it is not within the jurisdiction of the Bengal Council, still if you want certain information about any postal matter within the province it would be given to you; but in the case of the High Court, although it is a central subject, on this very analogy that information was denied to me. The policy of the High Court is against the wishes of the country, and I will tell you why. There was a committee called the Bar Committee; they made certain recommendations. The first was that every vakil of 10 years' standing would *ipso facto* be entitled to practise in the original side of the High Court, and they would have the same rights and privileges as the advocates coming from England; there was also another recommendation that vakils of 5 years' standing if they wanted to appear on the original side and become advocates, they must be articled clerks and after a year's experience as such, they would be entitled to practise on the original side. The former recommendation has been given effect to after much hesitation but the latter has not been given effect to.

I may say that the quality of the justice administered by the High Court has deteriorated now. I must most respectfully say that some

of the Judges who ought to preside over criminal courts are now adorning the Bench, and I must most respectfully say that they have got a distinct bias towards some of us——

**Mr. PRESIDENT:** I cannot allow that; it must be withdrawn. There must be no reflection on the Hon'ble Judges of the High Court.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I most respectfully withdraw that word "bias". I submit that the Government of Bengal must make out a case to the Government of India pointing out that the members of this Council are not in a mood to tolerate the dual system. This dual system is that whenever the High Court wants money, it writes to the Government of India, and the Government of India in their turn send a mandate to the Government of Bengal that the High Court wants such and such money and we are to provide it, whether we are in a position or not. The reply of the Government of Bengal is sent to the Government of India, and the Government of India inform the High Court of the actual position. Sir, the High Court is situated within a measurable distance of the Secretariat—about 200 yards; a letter from the High Court takes at least 3 weeks to reach the Government of Bengal, and the answer from the Government of Bengal takes another 3 weeks to reach the High Court——

**Dr. H. W. B. MORENO:** On a point of order, Sir, why does the hon'ble member deal with these points while discussing the question of travelling allowance of the Hon'ble Judges of the High Court?

**Mr. PRESIDENT:** What I understand the member to say is that he has another amendment on the paper dealing with the question of the general policy of the High Court, and he is dealing with both these together.

**Dr. H. W. B. MORENO:** Is he in order in making a speech of this kind on that question?

**Mr. PRESIDENT:** He is quite in order. Maulvi Sahib, it would be well if you would move the other amendments with regard to the High Court that stand in your name, and make one speech on all of them.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I will not move many of the other motions. However, what I was going to say is that the thing which could be done expeditiously and cheaply within an hour or two, takes 6 weeks. The Council is not in a mood to tolerate such a dual system. I ask my friends who do not see eye to eye with us to consider whether this dual system should not be done away with.

Coming to the question of travelling allowance—a sum of Rs. 2,000—the tax-payers of Bengal would not mind paying this amount or any larger sum, provided the Hon'ble Judges of the High Court would make it convenient to inspect the District Courts from time to time, which they are under the Act in duty bound to do. The High Court very seldom does its duty by inspecting the District Courts. Inspection has a salutary effect on the Judges of the District Courts; the District Courts may be doing many things which the High Court could not know, or rather do not know, because these things do not generally come before the High Court. If the District Courts could be inspected from time to time, if the District Judges know that the Hon'ble Judges of the High Court would come there some time or other to inspect their offices and courts, and see how justice is being administered in these courts, many of the cases we read of in the press, and many of the motions that we move before the High Court would disappear and the District Judges would do their work better. This salutary effect is lost by the Judges not visiting the District Courts as required by law, and the provision of travelling allowances becomes illusory. I should say that the demand should be refused because the Judges do not do their duty.

**Babu AMULYA DHONE ADDY:** I am sorry I cannot follow my esteemed friend Maulvi Md. Nurul Huq Chaudhury. He has expressed an opinion that the Hon'ble Judges of the High Court should inspect the District Courts from time to time, but at the same time he has said that the travelling allowance, namely, Rs. 2,000 should be refused. On the contrary, I am strongly of opinion that it should have been materially increased. It appears that the actual travelling allowance in the year 1923-24 was Rs. 8,526, and I am sorry to find that this has been reduced to Rs. 2,000, and still it is objected to. We all know that the salaries of the ministerial officers have been increased, but still there is corruption—

**Mr. PRESIDENT:** I cannot allow that phrase. You cannot suggest that there is corruption in any Court.

**Babu AMULYA DHONE ADDY:** I withdraw it, but everybody knows that it is so. There is unnecessary delay in the disposal of cases in the District Courts, and that is the greater reason why the Hon'ble Judges of the High Court should make an inspection from time to time. Therefore, I beg to submit that the travelling allowance of Rs. 2,000 is quite insufficient for the purpose, and should not be objected to.

**The Hon'ble Sir ABD-UR-RAHIM:** It is rather difficult on a motion of this sort to deal with the various questions raised by Maulvi Md. Nurul Huq Chaudhury. But I may explain to the House one matter of some importance, why and how it is that so many demands

relating to the High Court have been treated as non-votable. I wish to draw the attention of the Council to section 72 (*d*) of the Government of India Act. The question was raised whether under that section, the salaries of officers appointed by the Chief Justice under the Letters Patent are votable or not. Legal opinion was taken and there was considerable discussion of this question, and at last the Governor, acting under one of the clauses to section 72 (*d*) decided that these demands were not votable. That clause provides:

> If any questions arises whether any proposed appropriation of moneys does or does not relate to the above heads of expenditure, the decision of the Governor shall be final.

The duty is cast upon him to decide finally and that decision was arrived at after taking legal opinion on the subject——

**Maulvi MD. NURUL HUQ CHAUDHURY:** May I ask a question? Was the legal opinion taken in India or outside India?

**The Hon'ble Sir ABD-UR-RAHIM:** The opinion was taken in India.

Another question has been raised, that is, with regard to the appointment of Muhammadans in the Subordinate Judicial Service of this province. Maulvi Md. Nurul Huq Chaudhury is under a mistaken impression that latterly six appointments of munsiffs have been made. No such appointments have yet been made, but the matter is under consideration. He is right in saying that since 1921 there have been very few appointments of munsiffs. That arose in this way. When I joined this Government I found that a very large number of men were officiating as munsiffs, no less than I believe 66, with the result that most of these gentlemen would officiate as munsiffs for 2 or 3 weeks in one place and then revert and have nothing to do for some time. That was apparently a state of things which could not be tolerated, and Government laid it down that until these men or a substantial number of them had been provided for permanently, there would be no more officiating appointments. There can be no doubt that that was the right policy to adopt, and with the adoption of that policy there have been few appointments of munsiffs recently.

As regards the number of Muhammadans in the Subordinate Judicial Service, the figures are undoubtedly deplorable and the Government have not hesitated to express their opinion. But under the Civil Courts Act, the High Court makes the selections and is responsible for them, and the Government of Bengal are bound to accept the selections so made by the High Court. The High Court has a Committee of learned Judges to consider the applications for these appointments, and I believe they interview the applicants and it is they who come to a final decision as to the men selected for appointment. We have, however, brought to the notice of the High Court the opinion

that has been expressed in this Council more than once before, and the question is still under consideration whether it is possible to lay down any principle by which Muhammadan applicants would have a better chance of appointment. But, as I have said, so long as the Civil Court Act stands, the selection lies with the learned Judges of the High Court, and we are bound to accept their decision.

Another question has been raised—and this is a much bigger question—that is what has been described by Maulvi Md. Nurul Huq Chaudhury as the dual system. The High Court, as we know, is a central subject. The Provincial Government, however, has got to find the money needed for the establishment of the High Court. The result, therefore, is that whatever proposals are made by the High Court, have to be considered by the Government of India in consultation with this Government, and it is after discussion with the High Court, with the Government of India and the local Government that a decision is arrived at. That sometimes undoubtedly entails delays in arriving at a decision. But as regards one matter of minor detail, Maulvi Md. Nurul Huq Chaudhury is wrong. It often happens that the High Court while sending its proposals to the Government of India sends a copy of their letter to the local Government at the same time so that in those cases not much time is lost in the way suggested.

Now I come to the question which is directly covered by the amendment. It is undoubtedly desirable, and the learned Judges of the High Court also feel it, that it would be in the interests of the administration of justice in this province if some of them could visit mufassal courts more often than they are able to do now. As a matter of fact since I had charge of this portfolio it was only once that two learned Judges were able to go to Dacca to inspect the state of things there. But the Council must remember that if the learned Judges were to be obliged to inspect the mufassal courts periodically we should have to increase the number of Judges. The learned Judges are fully occupied in disposing of the cases that are placed before them from day to day. They have no spare time for inspecting the courts and if they are to inspect the mufassal courts as is desired and also to attend to the administration of justice in the High Court then it would be incumbent on this Council to provide for more High Court Judges. So long as the policy of retrenchment is maintained in this Council, I doubt if members will be prepared to vote an increase in the number of the learned Judges of the High Court so that they may be able to inspect the mufassal courts. If we have not provided for a larger amount than Rs. 2,000 for this purpose it is because it is not expected that the learned Judges having regard to the very little time they have at their disposal will be able to inspect the courts. We have, however, for cases of emergency provided something for any learned Judge who may find it necessary to inspect any mufassal court, but we have not provided a large amount.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I beg to move that the demand of Rs. 78,900 under the head "24A.—High Court—Original Side—Registrar" (page 69, Civil Estimate) be refused.

I do not want to make a speech in support of my motion but leave it to my friends who practise on the Original Side to say what is happening with regard to this matter there.

**The Hon'ble Sir ABD-UR-RAHIM:** I have no reply to make.

The motion was then put and lost.

The following motions were called but not moved:—

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 78,900 under the head '24A.—High Court—Original Side—Registrar' (page 69, Civil Estimate) be reduced by Rs. 4,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,000 under the head '24A.—High Court—Official Receiver' (page 69, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I beg to move that the demand of Rs. 86,000 under the head "24A.—High Court—Appellate Side—Registrar" (page 70, Civil Estimate) be refused.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 86,000 under the head "24A.—High Court—Appellate Side—Registrar" be reduced by Rs. 36,000.

He spoke in Bengali. The English Translation of his speech is as follows:—

It is a peculiar custom that we have got to grant supplies for the High Court over which neither have we nor has the Governor of Bengal any control. Is it because we are a subject race that we have to regard all royal commandments as inviolable? Why then are we made a scapegoat in this circumstance by being compelled to grant demands? From a perusal of the budget, we get no idea about the nature of enhancement or reduction made in this respect. It appears that in the place of Rs. 4,96,000 in the current year, there are Rs. 5,35,000 in this year. The non-voted item has been again raised this year and the voted item amounts only to Rs. 86,000. It does not appear that any action has been taken upon the suggestions of the Retrenchment Committee and instead of reduction in expenditure there is always an increase taking place. In this circumstance, I move this motion for the reduction of Rs. 36,000 standing in my name.

The following motion was called but not moved:—

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 86,000 under the head '24A.—High Court—Appellate Side—Registrar' (page 70, Civil Estimate) be reduced by Rs. 2,000."

**The Hon'ble Sir ABD-UR-RAHIM:** Not knowing the reasons for which this reduction is proposed I cannot make any reply.

The motions of Maulvi Md. Nurul Huq Chaudhury and Shah Syed Emdadul Haq were then put and lost.

**Babu BORODA PROSAD DEY:** I beg to move that the demand of Rs. 1,68,000 under the head "24A.- High Court" (page 68, Civil Estimate) be refused.

In the Budget we have seen that provision has been made for two additional Judges. When Bengal, Bihar and Orissa were all under the Calcutta High Court there were altogether 12 Judges in the High Court. Now, Bengal alone is under the jurisdiction of the Calcutta High Court, Bihar and Orissa having got their own High Court at Patna. But we find that the number of Judges here has already been increased by 50 per cent. and the cry is "still they are wanted." We really fail to understand this position in regard to the number of Judges in the High Court. We saw that in the olden days there was one Judge sitting in the Original Side of the High Court and one additional Judge perhaps would have been required for a month or so, or when the sessions were going on, but in the place of that we now find 4 Judges sitting on the Original Side of the High Court. Those that are not in the know of the inner working of the High Court are really at a loss to understand the reason why matters have changed in this way. We know that the income derived from the subordinate judicial courts is very great, and the High Court is paid at their expense. The subordinate courts have not got proper houses and some of the officers are put to very great inconveniences for want of proper quarters. The court buildings are generally of a very sorry character, and no attention is paid to this and other very necessary requirements but money is generally provided for all-sided improvements of the High Court.

My friend, Maulvi Md. Nugal Huq Chaudhury had a motion upon the Official Receiver of the High Court. I am sorry that he did not move it, else I might have said something in connection with that which is a part and parcel of the Calcutta High Court—Original Side. We have in all mufassal courts the same classes of cases coming in where parties apply for receivers, but there is no such institution in any of the district courts as that of the official receiver of the High Court. One really fails to know why should there be this by-no-means welcome appendage of the High Court in the Original Side. Why should it

cost the tax-payers any sum of money? If the parties to any suit want a receiver to be appointed, it is their look out and the look out of the presiding Judge to find out the proper person for the office of the receiver, and to pay him such amount as the Judge may consider worthy of his labours from the income of the property in suit. So one fails to understand why there should be an institution of receiver in the High Court. I myself have a little bit of bitter experience of the official receiver of the High Court, and I can say that I can never speak well of this institution.

Then, Sir, we had the Laws Delay Committee lately sitting, and I do not know if they have taken the work of the High Court into their consideration. I do not know if according to their report more judges are wanted for the speedy disposal of cases in the High Court. So, Sir, it seems to me that it is not at all necessary for the present to provide for two additional Judges of the High Court, because one is inclined to think that there are already too many of them, and that if they work as officers of a public institution should work, there will not be any necessity for appointing more Judges for the High Court. It seems that the highest judiciary is keeping pace with the highest executive of the land: for, formerly we had one Lieutenant-Governor with his Chief Secretary and a few other Secretaries for the administration of the whole of Bengal, Bihar and Orissa, now, Sir, for that administration with Bihar and Orissa taken out, we have one Governor, 4 Executive Councillors and 2 or 3 or perhaps 4 Ministers, and any number of Secretaries, Under-Secretaries, and sometimes even Assistant Secretaries.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I support the motion. It also stands in my name. Sir, my friend Sir Abd-ur-Rahim, although I do not want to call him anything else, because I am not in a militant mood to-day, once called me the young hopeful of the Swaraj party. I simply say that this grant be refused. The Retrenchment Committee which was appointed under the orders of the Government of India recommended certain retrenchments in the High Court, and I believe my friend, Babu Surendra Nath Ray, who is a member of this Council, was also a member of that committee. The report of that committee was duly submitted to the Government of India, it saw the light of official day, but not of non-official day. I say this because we wanted to have a copy of that report. Regarding the High Court, Lord Inchcape wanted certain retrenchments to be made and we wanted to know the exact amount. We could not know and we did not see the exact amount of the retrenchment. But I know that the Bengal Retrenchment Committee made a recommendation that the High Court Judges should sit for some hours on Saturdays, so that in the case of congestion of work Additional Judges would not be required for the purpose of relieving the congestion and it would not impose an extra

burden on the revenue of Bengal. They suggested that the Judges should sit on Saturdays at least for 2 hours. Secondly, I say that the amount of holidays that the High Court Judges enjoy should be curtailed and being a lawyer myself I would prefer that the High Court should continue to sit from day to day except Sundays with a holiday for a month or so, because it means money to me and if the High Court would be open I may always get cases. That being so, I would rather prefer that the High Court should have lesser holidays than 6 months in a year. I feel, however, the difficulties of the Hon'ble Judges as they have to sit from 11 to 2 and 2-30 to 4-30; but as they are practically enjoying a greater number of holidays they ought to sit on Saturdays for 2 or 3 hours as the case may be. If that could be done, there being 16 Judges and 3 Judges permanently sitting on the Original Side and the rest of the 13 Judges hearing appeals from the Original Side and also appeals on the Appellate Side, no Additional Judges would be required and the Judges also would not be able to say that they do not find time to inspect the lower courts. Basing my argument on the Bengal Retrenchment Committee's Report—I have no knowledge of what the recommendation of the Retrenchment Committee appointed by the Government of India was—I submit that the public opinion is that the High Court Judges ought to sit on Saturdays for at least 2 hours. I submit that if that be done the Judges will find time more time to roam about in the districts——

**Mr. PRESIDENT:** Maulvi Sahib, please do not repeat what you have already said.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Very well, Sir, I sit down.

**The Hon'ble Sir ABD-UR-RAHIM:** I suggest that the next two motions may be taken up as well.

**Mr. PRESIDENT:** Boroda Babu, would you move your next motion and would the other members whose names are on the paper also move Nos. 562 and 563?

**Babu BORODA PROSAD DEY:** I beg formally to move that the demand of Rs. 1,68,000 under the head "24A.—High Court" (page 68, Civil Estimate) be reduced by Rs. 84,000.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I formally move that the demand of Rs. 1,68,000 under the head "24A.—Administration of Justice—High Court" (page 68, Civil Estimate) be reduced by Re. 1.

**The Hon'ble Sir ABD-UR-RAHIM:** With regard to the provision for two Additional Judges, I can assure this House that it was not done until after considerable inquiry. We had the state of business on both

sides of the High Court carefully examined and it was after considerable consultation with the High Court and correspondence with the Government of India that one Additional Judge has already been sanctioned for one year and the question of another Additional Judge is still under consideration. What we found was that, having regard to the state of business on the Original Side, it is still necessary to have 4 learned Judges to sit there unless the work were allowed to be in arrears. The learned Chief Justice and the Judges of the High Court were strongly of that opinion and those who practise on the Original Side of the High Court will bear me out that if we were to curtail the number of Courts on the Original Side business will not be done as expeditiously as at present. So we thought that 4 Judges would still be required on the Original Side. Then we found that criminal work has considerably increased recently and it became necessary to have two additional courts for the disposal of criminal appeals and motions. In addition to that we have the big Jherria case which has been going on for nearly two months and has not yet been finished. Again we have a very large number of second appeals in arrear. There are a large number of these appeals pending which are more than two years' old and as these appeals are filed mostly by the poorer litigants it would be extremely undesirable that their cases should not be disposed of for anything like two years. Considering the state of business before the High Court on the whole we came to the conclusion that it was desirable to strengthen the staff of Judges. In this connection Mr. Md. Nurul Huq Chaudhury who is always drastic in his proposals suggests that the learned Judges must curtail their holidays and sit on Saturdays. Regarding the learned Judges sitting on Saturdays, this is by no means a new question, and, in fact, it was once tried, I believe, in this very High Court. I do not know if the hon'ble member knows that the learned Judges after hearing the arguments of learned Pleaders and Barristers, have still a part of work to do in their homes; they have reserved judgments to write out——

**Maulvi MD. NURUL HUQ CHAUDHURY:** Very few.

**The Hon'ble Sir ABD-UR-RAHIM:** I do not know on what facts the Maulvi Sahib's opinion is based and which court he is referring to; but I know this that as a rule there are a sufficient number of judgments to occupy a good deal of the time of the learned Judges on Saturdays and even on Sundays and that these judgments have to be carefully written because many of them involve intricate questions of law. I say, therefore, it is impossible to ask the learned Judges to sit on Saturdays.

Similarly with regard to holidays I may inform the hon'ble member, that the holidays are regulated by the learned Judges themselves and from almost time immemorial the present system has prevailed and I

do not think that in recent times there has been any substantial addition to the number of holidays. I do not, therefore, consider it a practicable proposition to ask the High Court to curtail their holidays.

A question was raised by Babu Boroda Prosad Dey regarding the Official Receiver. All I can say is that I cannot conceive of work being done on the Original Side without the help of the Official Receiver. He has onerous duties to perform and whatever may be the state of things in the mufassal it is impossible that in the High Court, original cases could be disposed of without the help of the Official Receiver.

A complaint was also made by Babu Boroda Prosad Dey regarding the insufficiency of proper buildings for the courts and the houses for judicial officers in the mufassal. I can tell him, however, that ever since I have been responsible for this department, I have made it my duty to see that in every Budget some provision, as much as is possible having regard to the resources at our command, is made for this purpose. In this year you will find that we have provided a sum of about Rs. 1,84,000 for this very purpose and the buildings on which this sum is going to be spent will ultimately cost more than Rs. 3,00,000. Every year we are making provision for this purpose and I think if Babu Boroda Prosad Dey would come round to me or to the Judicial Secretary, we shall be able to explain more fully what has been done. I admit, Sir, that more has got to be done; but Government is not lacking vigilance in this matter. I, therefore, say that there is no good ground for pressing any of these amendments.

The motions of Babu Boroda Prosad Dey were then put and lost.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** In the absence of my friend Babu Debendra Lal Khan, I beg to move that the demand of Rs. 42,000 under the head "24B. Law Officers" for Solicitor to the Government be reduced by Rs. 18,000.

Sir, we have got over-duplication of law officers in Calcutta. We have got the Advocate-General; we have got the Standing Counsel; we have got the Public Prosecutor for the High Court; and we have got the Public Prosecutor for the Presidency Magistrates' Courts. We want that the amount under this head should be reduced. Rs. 42,000 a year, that is 3,500 a month is paid to the solicitor. My proposal is that there should be a cut of Rs. 18,000 from this demand, leaving a balance of Rs. 24,000 which should be quite sufficient for 12 months at the rate of Rs. 2,000 a month. I think the Solicitor, who can do other work besides Government work, because he is not a whole-time officer of Government, can very well do the work on Rs. 2,000 a month. The question may be raised that Mr. Gooding of the firm of Messrs. Kesteven, Gooding & Co. will not be forthcoming to do the

work of the Government Solicitor for Rs. 2,000 a month. Sir, the Indians have ousted the European element from the legal profession either as Solicitors or as Barristers, and I think there are many Indians who can be had on Rs. 2,000 a month to do the work of the Government Solicitor. There are many eminent men of fame who are honest and are earning much more than even the firm of Messrs. Kesteven Gooding & Co. earns——

**Mr. PRESIDENT:** Order, order! I cannot allow that. You cannot go into personal questions.

**Maulvi MD. NURUL HUQ CHAUDHURY:** What I mean to say is that there are many eminent Indian firms who can be induced for the sake of their country to accept the Government Solicitor's post on a salary of Rs. 2,000 a month. They can be induced in this way, that by accepting a smaller amount for the work they would be doing a service to their country. I, therefore, press the motion and I hope the House will accept this very modest proposal and vote for it. I am certain that if we can carry this motion, we will be able to find an Indian to do the work.

**Mr. PRESIDENT:** You have already said that, Maulvi Sahib. I find that you are repeating your arguments.

**The Hon'ble Sir ABD-UR-RAHIM:** It is very difficult to deal with arguments of the character of Maulvi Md. Nurul Huq Chaudhury's, who, I am sure, knows nothing whatever about the work of the Government Solicitor. The Government Solicitor has very important and responsible work to do; he has got to advise not only the Government of Bengal on important questions that arise in the various departments of the Government, but also to advise the Government of India and the Government of Assam. He has to instruct the law officers in Government's cases, he has got to settle deeds and conveyances to which Government is a party, and he has many other miscellaneous duties to perform. We have, therefore, to find for this purpose a firm of Solicitors with well-established reputation and containing men of experience and ability. There is no question now before the House of appointing a new Government Solicitor. If any such question had been raised, the suggestion made by Maulvi Md. Nurul Huq Chaudhury might be relevant, and if a proper Indian Solicitor were available on less pay than Rs. 3,500 a month, there could be no reason why he should not be given a chance. I quite see the reasonableness of the suggestion, but that suggestion has no practical value at present. We have to pay adequately in order to secure the best possible man for the responsible and important work the Government Solicitor has got to do. I have, no doubt, that, when the question does arise, there are

Indian Solicitors of standing in the profession whose claims will l duly considered, but there is no reason to consider them in this co nection at present.

The motion was then put and a division taken with the followin result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ali, Maulvi Sayyed Sultan.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Bancrjee, Babu Satya Kishore.
Bansrjee, Mr. A. C.
Barma, Rai Sahib Panchanan.
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Salyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Guha, Mr. P. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mitter, Sir Provash Chunder.
Mukerjea, Babu Taraknath.
Nandy, Maharaj Kumar Sris Chandra.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekharcswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar
Roy, Raja Manilall Singh.
Sarkar, Babu Hemanta Kumar.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.

**NOES.**

Addams-Williams, Mr. C.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Mr. Altaf.
Beg, Khan Bahadur Mirza Shujaat Ali.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, the Nawab Bahadur Salyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Farequi, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Garmer, Mr. C. W.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. G.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukheh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 52 and the Noes 45, the motion was carried.

[The Council was then adjourned for 10 minutes.]

After the adjournment.

The following motion was called but not moved:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 57,000 under the head '24B.—English Law Officers' (page 71, Civil Estimate) be refused."

**Maulvi SAYEDUL HOQUE:** I move that the demand of Rs. 57,000 for expenditure under the head "24B. Law Officers—English Law Officers" be reduced by Re. 1.

I have not much to say. I take my stand only to criticise the policy of the Government. I have said more than once that the administration is run in every department at a very high cost. Here we find a sum of Rs. 57,000 has been provided. Though we are not accustomed to dealing with these big sums—we may be rich or poor—but we have come here as representatives of the poor tax-payers. So it is my duty to draw the attention of the House to every item of expenditure where we think we can effect a saving. We find that the pay of the Advocate-General is Rs. 3,000 a month, the pay of the Standing Counsel Rs. 1,000, the pay of the Government Solicitor Rs. 3,500; so we are to deal with several thousands of rupees a month under this head. What I mean to say is that the people of this country are paying revenue, and under some constitution or law they are to derive the benefits of the Administration of Justice which they can claim free of charge, but instead of getting free, they are to pay for them. I may as well say that they are paying double for what they get. I have already given the figure that the revenue from the judicial stamps and the Administration of Justice is quite double the total expenditure under the head "Administration of Justice." So it is clear that the poor tax-payers are paying double the amount required for the Administration of Justice. The reason is that they are exploited for their vice of litigation. I, therefore, think it my duty to bring it to the notice of this House and the Government and suggest that these poor tax-payers should not be exploited of their vice of litigation.

My friend Maulvi Md. Nurul Huq Chaudhury has made it clear to the House that there are more Law Officers under Government than are actually required. So my earnest prayer is that we should do away with the superfluous number. Moreover, I think efficient and competent men can be had at less pay. The question of unemployment is staring us in the face. Last year I asked a question on this point and in reply I was informed that a committee had been sitting and writing up a report as to how the question of unemployment could best be solved. From this I infer the question of unemployment is so very urgent that educated and capable persons can be had at a less pay. So I request Government to take such steps as will save money to the tax-payers. I have nothing more to say.

**The Hon'ble Sir ABD-UR-RAHIM:** This question refers to the Advocate-General and the Standing Counsel. These are two of the highest Law Officers of the Crown and I am surprised to hear that the retainers paid to these two officers are considered too high by any lawyer member of this House. The Advocate-General is appointed by the Secretary of State, has got to advise Government on many important questions relating to the administration and other matters in which the Government is interested. He corresponds with the Attorney-General of England whose retainer is much higher than his and it would be unthinkable to reduce the retainer of the Advocate-General to anything below the figure that appears in the Budget. The members of this House may remember that at one time the retainer of the Advocate-General was Rs. 4,000. It has been reduced and it is impossible to think of reducing it any further. As regards the Standing Counsel it is becoming extremely difficult to get a Barrister of standing for the office on the retainer now being paid. We are lucky in securing the services of the present incumbent of the office of Standing Counsel who is a distinguished Barrister. But I know—the matter is brought to my notice every day—that he is a considerable loser in having to attend the Sessions at the sacrifice of his private practice. This retainer of Rs. 1,000 to a man of the position of the Standing Counsel is absolutely nothing. The only inducement for a Barrister of standing to accept the position are consideration of honours, dignity and the high position attached to the office; otherwise pecuniarily he is generally a loser.

I cannot accept this motion.

The motion of Maulvi Sayedul Hoque was then put and lost.

**Mr. N. C. SEN:** I move that the demand of Rs. 90,000 under the head "24B.—Law Officers—Fees to Pleaders" (page 72, Civil Estimate) be reduced by Rs. 30,000.

As is well-known this money is made over to the Legal Remembrancer for payment to different counsels and lawyers that appear for the Crown. A part of this goes towards the payment of the Barristers who appear in the Sessions cases in the High Court. Sir, we have just heard from the Hon'ble Member in charge that it is exceedingly difficult to get Barristers of standing for the posts of Advocate-General and the Standing Counsel. But I have never found that there is any difficulty to get men of standing for these posts. I have never known of instances in which these posts have been refused by any Barrister. On the contrary I know that some of my friends were grievously hurt because they had been overlooked in the filling up of these posts. The Hon'ble Member has also said that at the present moment the retainers of the Advocate-General and the Standing Counsel are not the same as they used to be. It is quite true that the Advocate-General

gets thousand rupees less and the Standing Counsel Rs. 200 less. But the Hon'ble Member has forgotten to mention that whereas formerly a Standing Counsel used to do all the cases in the Sessions,—now-a-days he only appears in a limited number of cases mainly murder cases and other cases and for which the tax-payers have to pay extra fees.

**The Hon'ble Sir ABD-UR-RAHIM:** On a point of order, Sir. He is dealing with the cases of Advocate-General and Standing Counsel but his motion refers to fees to pleaders.

**Mr. PRESIDENT:** I do not quite follow the point of order. We have already dealt with the Standing Counsel and Advocate-General, Mr. Sen, and now we are concerned with the fees of private practitioners—counsels and pleaders.

**Mr. N. C. SEN:** If the Hon'ble Member will have patience he will soon find out why I am bringing the case of the Standing Counsel here. As a lawyer I know something about the rules of relevancy. As I was saying a part of this money goes towards the payment of counsels and pleaders for appearing in cases which used to be conducted by the Standing Counsel before. It is on that ground that I have brought forward this motion. The Standing Counsel formerly used to appear in all cases but now he only appears in five or six cases in the sessions. A larger number of cases are conducted by the Legal Remembrancer and he distributes this money to pleaders and counsels. My point is that whereas Government has saved Rs. 200 a month by reducing the retainer of the Standing Counsel they are paying a good few thousands to make up for the loss. This is no retrenchment at all. The Hon'ble Member knows this very well as he has himself recently recommended to the Legal Remembrancer that a few of these cases may be given to Muhammadan pleaders as well.

**Mr. PRESIDENT:** I cannot quite follow you, Mr. Sen?

**Mr. N. C. SEN:** I said that the Hon'ble Member in charge of Justice has recently recommended to the Legal Remembrancer that as there is this loot going on, some of this may be shared by the Muhammadan members of the Bar. I say that Government ought to retrench expenditure so far as this item is concerned. I do not care whether this goes to the Hindu or to the Muhammadan pleader. It must be retrenched. At the present moment we are spending money for counsels and pleaders where no expenditure used to be incurred formerly.

It is for this reason that I want to have the amount reduced. Another thing which happens in this connection is this: The Legal Remembrancer with whom this money is entrusted may spend this money in useless litigation like the Charminair case.

**Mr. PRESIDENT:** I think that case is still *sub judice*.

**Mr. N. C. SEN:** No, Sir, I am not going into the merits of the case. I am the last person to commit Contempt of Court although I am protected here. That case went on for months and months. Then there was the Sessions Court and then it came here and the Legal Remembrancer was empowered to pay counsel. There was difference of opinion among the Judges and now it is being sent up for retrial. Now all this means a great deal of money. I can also state many other cases in which the Standing Counsel gets special fees of 30 guineas. I may refer to the Lloyd Bank case in which a special fee was paid to the Standing Counsel for appearing. I want to stop this expenditure. There is another very cogent reason for this. You will find that the actuals for 1923-24 was Rs. 58,000. Last year there was a demand for Rs. 85,000. We do not know how much of it has been spent and this year's demand is for Rs. 90,000. I think in reducing the present demand by Rs 30,000 it will be well over the amount of the actuals spent two years ago. I hope the House will have no hestitation in supporting my motion.

**SHAH SYED EMDADUL HUQ** moved that the demand of Rs. 90,000 under the head "24B.—Law Officers—Fees to Pleaders" be reduced by Rs. 5,000.

The following motion was called but not moved:—

**Babu HEM CHANDRA NASKER:** "That the demand of Rs. 90,000 under the head "24B.—Law Officers—Fees to Pleaders" be reduced by Re. 1."

**The Hon'ble Sir ABD-UR-RAHIM:** Sir, Mr. Sen, like the ingenuous Barrister, that he is has tried to draw a red-herring across the trail. I am sorry to find he has left this House this very moment because I wanted to remind him that so far as cases in the Sessions Court are concerned 99 per cent. of them go to his co-religionists and not to Muhammadans and I should have thought that he should have been the last person to bring up this matter.

As regards the Standing Counsel being over-paid as I have told this House, he is a Barrister of considerable standing. His retainer of Rs. 1,000 a month is certainly no inducement to him to attend the Sessions from day to day and conduct all the cases there at the sacrifice of his considerable private practice. The House will remember that this Rs. 1,000 is not the pay of a whole-time officer.

He has to attend the Sessions and in cases which take many days for hearing, he has to be reimbursed especially, otherwise it would not be possible to get any one with any practice to take up the responsible position of Standing Counsel. I am surprised that Mr. N. C. Sen,

a Barrister, who I believe has some practice in the High Court, should have raised this question and tried to throw dust in the eyes of those who are not familiar with the profession or how the business is conducted in the High Court.

**Mr. N. C. SEN:** Did not Lord Sinha, Mr. Woodroffe and other eminent lawyers conduct such cases without any special remuneration?

**The Hon'ble Sir ABD-UR-RAHIM:** I cannot speak of any particular gentlemen, but I do know that in many cases, which went on for a number of days, special fees were paid to the Standing Counsel. It is the criminal cases at the Sessions that we are concerned with. But as regards the other cases I believe the fees that are paid to private practitioners are of a very, very modest character, indeed. I do not think that on the Appellate Side of the High Court more than 3 or 4 gold mohurs are paid, and that is a very modest fee for any Barrister or Pleader who is able to conduct cases. There is the veteran and experienced lawyer, Mr. B. Chakravarti, and I am speaking in his presence—my own experience of the Calcutta High Court is not very recent—and I am sure he will endorse what I have said.

The motion of Mr. N. C. Sen was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Chakravarti, Mr. Byomkes.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mahan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Daud, Mr. M.
Dey, Babu Beroda Prosad.
Gafur, Maulvi Abdul.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Basar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Moreno, Dr. H. W. B.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Sateowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Taraidar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. O.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Altaf.
Barma, Rai Sahib Panchanan.

Bag, Khan Bahadur Mirza Ghulaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dose, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharrul.
James, Mr. F. E.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Oaten, Mr. E. F.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrett, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 52 and the Noes 54, the motion was lost.

The motion of Shah Syed Emdadul Haq was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** May I ask one word? The Council was adjourned for 10 minutes. Are you going to include that within the two hours' limit?

**Mr. PRESIDENT:** Yes, we have been doing that throughout.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Then what is the time left for this demand?

**Mr. PRESIDENT:** Until 2 minutes past five.

The following motions were called but not moved:

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,09,000 under the head '24B.—Law Officers—Legal Remembrancer' (page 72, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 2,09,000 under the head '24B.—Law Officers—Legal Remembrancer' (page 72, Civil Estimate) be reduced by Rs. 9,000."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 32,400 for expenditure under the head '24B.—Law Officers—Mufussal Establishment—Government Pleaders and Public Prosecutors' (page 72, Civil Estimate) be reduced by Re. 1."

**Mr. N. C. SEN:** Sir, I beg to move that the demand of Rs. 2,40,000 under the head "24B.—Law Officers—Fees to Pleaders in Criminal Cases" (page 73, Civil Estimate) be reduced by Rs. 1,00,000.

Much of this money is wasted in tutoring witnesses and very often——

**Mr. PRESIDENT:** Mr. Sen, I do not think that is a proper observation to make.

**Mr. N. C. SEN:** If you think so, I withdraw it. A great deal of this money is wasted in cases which should never come to court at all and it is for this reason that I recommend that this sum of Rs. 2,40,000 be reduced by Rs. 1,00,000.

**The Hon'ble Sir ABD-UR-RAHIM:** Mr. N. C. Sen has told us just now that a great portion of this money is spent in tutoring witnesses by Barristers and Pleaders. He charged the entire profession. I only ask the lawyer members of this House to note this. I do not really know how he has arrived at the figure of Rs. 1 lakh and wants the House to reduce the Budget by this amount. So far as these cases are concerned, pleaders are engaged in criminal cases by Government, and I can assure the House that the regulation fees which the Government pay to the pleaders in these cases are really very low.

**Mr. N. C. SEN:** On a point of personal explanation, Sir, first of all I do not think the Hon'ble Member is within his rights in commenting on something which has been withdrawn. Secondly, I did not say that lawyers tutor witnesses. What I said was that much of this money is wasted in tutoring witnesses.

The following motions were called but not moved:—

**SHAH SYED EMDADUL HAQ and Maulvi ZANNOOR AHMED:** "That the demand of Rs. 2,40,000 under the head '24B.—Law Officers—Fees to Pleaders in Criminal Cases' (page 73, Civil Estimate) be reduced by Rs. 10,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 2,40,000 under the head '24B.—Law Officers—Fees to Pleaders in Criminal Cases' (page 73, Civil Estimate) be reduced by Rs. 1,700."

The motion of Mr. N. C. Sen was then put and lost.

The following motions were called but not moved:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 30,000 under the head '24B.—Law Officers—Fees to Pleaders in Civil Suits' (page 73, Civil Estimate) be reduced by Rs. 5,000."

**Dr. KUMUD SANKAR RAY and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,15,100 under the head '24B.—Law Officers—Mufassal Establishment' (page 73, Civil Estimate) be refused."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 3,15,100 under the head '24B.—Law Officers—Mufassal Establishment' (page 73, Civil Estimate) be reduced by Rs. 40,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 3,15,100 under the head '24B.—Law Officers—Mufassal Establishment' (page 73, Civil Estimate) be reduced by Rs. 15,100."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 5,81,100 under the head '24B.—Law Officers' (page 71, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 5,81,100 under the head '24B.—Law Officers' (page 71, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 5,81,100 under the head '24B.—Law Officers' (page 71, Civil Estimate) be reduced by Rs. 58,600."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 45,000 under the head '24C.—Administrator-General and Official Trustee—Pay of Officers' (page 73, Civil Estimate) be reduced by Rs. 10,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,45,000 under the head '24C.—Administrator General and Official Trustee' (page 73, Civil Estimate) be refused."

**Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 8,000 under the head '24D.—Coroner's Court' (page 74, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,89,000 under the head '24E.—Presidency Magistrates' Courts' (page 74, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 1,89,000 under the head '24E.—Presidency Magistrates' Courts' (page 74, Civil Estimate) be reduced by Rs. 70,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 2,21,000 under the head '24F.—Civil and Sessions Courts—Pay of District and Sessions Judges' (page 76, Civil Estimate) be reduced by Rs. 21,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 2,21,000 under the head '24F.—Civil and Sessions Courts—Pay of Officers' (page 76, Civil Estimate) be reduced by Rs. 16,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 5,09,000 under the head '24F.—Civil and Sessions Courts—Pay of Officers' (page 76, Civil Estimate) be reduced by Rs. 27,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 5,09,000 under the head '24F.—Civil and Sessions Courts—Pay of Subordinate Judges' (page 76, Civil Estimate) be reduced by Rs. 10,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 49,000 under the head '24F.—Civil and Sessions Courts—Pay of Officers Provisions for Temporary District and Sessions Judges' (page 76, Civil Estimates) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 49,000 under the head '24F.—Civil and Sessions Courts—Provision for Temporary District and Sessions Judges' (page 76, Civil Estimate) be reduced by Rs. 10,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 49,000 under the head '24F.—Civil Sessions Courts—Pay of Officers'—Provision for Temporary District and Sessions Judges' (page 76, Civil Estimate) be reduced by Rs. 9,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 77,000 under the head '24F.—Civil and Sessions Court—Provision for Temporary Subordinate Judges' (page 76, Civil Estimate) be reduced by Rs. 12,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 45,000 for other temporary establishment under the head '24F.—Civil and Sessions Courts—Pay of Establishment' (page 76, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 45,000 for other temporary establishment under the head '24F.—Civil and Sessions Courts—Pay of Establishment' (page 76, Civil Estimate) be reduced by Rs. 5,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 6,200 for other non-contract charges under the head '24F.—Civil and Sessions Courts—Contingencies' (page 77, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 6,200 for other non-contract charges under the head '24F.—Civil and Sessions Courts—Contingencies' (page 77, Civil Estimate) be reduced by Rs. 3,100."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 14,47,000 under the

head '24F.—Civil and Sessions Courts' for Process-serving Establishment (page 77, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 69,52,000 under the head '24F.—Civil and Sessions Courts' (page 76, Civil Estimate) be refused."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 69,52,000 under the head '24F.—Civil and Sessions Courts' (page 76, Civil Estimate) be reduced by Rs. 65,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 69,52,000 under the head '24F.—Civil and Session Courts' (page 76, Civil Estimate) be reduced by Re. 1."

The time-limit having been reached the following motions were not called:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 9,500 under the head '24G.—Courts of Small Causes—Court under Workmen's Compensation Act' (page 78, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 9,500 under the head '24G.—Court of Small Causes—Court under Workmen's Compensation Act' (page 78, Civil Estimate) be reduced by Rs. 3,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,68,000 under the head '24G.—Presidency Courts' (page 79, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 2,68,000 under the head '24G.—Presidency Courts' (page 79, Civil Estimate) be reduced by Rs. 15,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 2,68,000 under the head '24G.—Courts of Small Causes—Presidency Courts' (page 79, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,40,000 under the head 24G.—Courts of Small Causes' (page 79, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 3,40,000 under the head '24G.—Courts of Small Causes' (page 79, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 29,900 under the head '24H.—Criminal Courts' (page 80, Civil Estimate) be refused."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 6,000 under the head '241.—Muktearship Examination Charges' (page 81, Civil Estimate) be refused."

**Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY, Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY, Babu ROMES CHANDRA BACCHI, Maulvi SAYEDUL HOQUE and Babu MANMATHA NATH ROY:** "That the demand of Rs. 84,30,000 under the head '24.—Administration of Justice' (page 68, Civil Estimate) be refused."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 84,30,000 under the head '24. Administration of Justice' (page 68, Civil Estimate) be reduced by Rs. 54,76,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 84,30,000 under the head '24. Administration of Justice' (page 68, Civil Estimate) be reduced by Rs. 4,37,000."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 84,30,000 under the head '24.—Administration of Justice' (page 68, Civil Estimate) be reduced by Rs. 3,00,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 84,30,000 under the head '24.—Administration of Justice' (page 68, Civil Estimate) be reduced by Rs. 1,88,000."

**Rai HARENDRANATH CHAUDHURI, Maulvi MD. NURUL HUQ CHAUDHURY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 84,30,000 under the head '24. Administration of Justice' (page 68, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 84,30,000 as amended by the Council be granted under the head "24.—Administration of Justice" was then put and agreed to.

25.—JAILS AND CONVICT SETTLEMENTS.

**MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Sir Hugh Stephenson):** I beg to move that a sum of Rs. 32,67,000 be granted for expenditure under the head "25.—Jails and Convict Settlements."

**Babu TARAKNATH MUKERJEA:** I beg to move that the demand of Rs. 50,000 under the head "25A.—Jails Superintendence" be reduced by Rs. 20,000.

The motion was put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,400 under the head "25A.—Jails—Allowance, Honoraria, etc.—Travelling Allowances of Gazetted Officers—Presidency Jail" be reduced by Rs. 1,000.

He spoke in Bengali. The English translation of his speech is as follows:—

The cost under this head was Rs. 300 in the current year and Rs. 197 in the last year. Why has it jumped this year to Rs. 1,400? What is the cause of this increase of Rs. 103 and of Rs. 1,100? Why has the cost been increased seven times and four times? Has railway fare, coach hire or other expense gone up? Do not these actions indicate autocracy? The money does not belong to those who spend it or form estimates of the cost, but to the people of the country; is that sufficient reason why it should be spent in such an autocratic manner?

Government give evidence of their autocracy at every step. Are these acts befitting to the British people who are so proud of their civilisation?

It would not perhaps be irrelevant to say in this connection that every year the members of some standing committees are elected by the vote of this House. According to the usual custom votes were taken for the election of members to the Jail and Judicial Committees, but the Governor has set aside the election of those four who got the largest number of votes and declared those as members who got a smaller number of votes, for instance, from four to five or from two to three votes. How will Government explain this unjust procedure? Among those four was a zemindar well-known to Government and member of the standing Jail Committee during last year who has also been left out. Why has he been left out? Was he guilty of a crime by securing the largest number of votes or did he come to be suspected by Government for that reason? If this sort of false suspicion and false apprehension gain ground from day to day in the mind of Government, would the result thereof be good for anybody? If the securing of the largest number of votes be regarded as suspicious and alarming, what is the use of holding this farce of an election? The purpose might be served by Government nominating members as they like and sparing the electors the humiliation and insult to which they are subjected by this arbitrary conduct. The claims of all the four gentlemen who secured the largest number of votes have been disregarded without any distinction. Do not actions like this render useless the thing which they have given with their own hands? Among

these four there was another gentleman besides the zemindar mentioned above, who has frequently sided with Government, voted for them and canvassed for votes on their behalf; so great is their fear of the bogey that even such a person has been excluded. It is true that when God wishes that a thing should happen, all its accessories come of their own accord. Owing to the autocracy of Government, men faithful to them or partially faithful have deserted them and are deserting them. We would have had nothing to say if the policy of 'might is right' prevailed even in this civilised country. But the authorities never suggest it; they make a great display of liberality in speech. It is for this reason that we cry patience and ask for some consideration. Better acknowledge the right of public opinion, hold elections as prescribed and do not trample down the expressed opinion of the public. If Government have any special favourite, they may make exception in a single instance but by ousting those who are zemindars or the collectors of the revenues for them, who did not give rise to any unseemly incident by sitting on the Committee in the last year and are not likely to do it if they sit again on it, they merely insult them and their electors and thereby themselves appear humiliated and insulted before the world.

The voting for membership to the standing committee will take place to-morrow. So let Government alter their policy and allow desirable men to sit on the Jail Committee, the inspection work of these members will save Government's money. They did not demand or get any travelling allowance on any occasion nor will they demand it in future.

We hope that Government will explain the cause of the excessive increase of this cost and we hope that the members will vote for this motion if the explanation proves unsatisfactory and a division is demanded. Is it not easy to see that those who vote against the ministerial salaries, but do not vote against Government on other occasions or vote for them, are actuated by motives of personal interest or jealousy? For this reason I move the motion standing in my name.

**The Hon'ble Sir HUGH STEPHENSON:** The motion is that the demand for Rs. 1,400 be reduced by Rs. 1,000 under the head "Travelling Allowance of Gazetted Officers." The rise in the provision for travelling allowance under this head is due to the increase in the conveyance allowance of the Deputy Superintendent in charge of the manufacturing department. This is a most important department as the Deputy Superintendent has to buy all the materials from the bazar and only recently we have had to improve the pay of that officer and he has to travel a great deal in Calcutta his conveyance allowance has been raised from Rs. 20 to Rs. 100 a month.

The motion was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneor.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boreda Prosad.
Gafur, Maulvi Abdul.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Joardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Amanat.
Khan, Maulvi Mahi Uddin.
Mahammad, Maulvi Bazar.
Maity, Babu Mahendra Nath.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohan.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarkar, Babu Nalinirenjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Ali, Maulvi Sayyad Sultan.
Ali, Mr. Altaf.
Barma, Rai Sahib Panchanan.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Goenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. M.
Gurner, Mr. C. W.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Lal Mahammad, Haji.
Liddell, Mr. H. C.
Miller, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Mukarji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Quader, Maulvi Abdul.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Babu Nagendra Narayan.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. C.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Roy, Mr. Tarit Bhusan.
Ray, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. F.
Woodhead, Mr. J. A.

The Ayes being 47 and the Noes 58, the motion was lost.

The following motion was called but not moved:—

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 3,60,000 under the head '25A.—Presidency Jails' (page 83, Civil Estimate) be reduced by Re. 1."

**Maulvi ZANNOOR AHMED:** I beg to move that the demand of Rs. 23,400 under the head "25A.—Jails—Central Jails—Pay of Superintendents" (page 83, Civil Estimate) be reduced by Rs. 5,000.

There are 5 Central Jails including the Presidency Jail. Of these 2 are second class Central Jails, *viz.*, Rajshahi and Midnapore. The Civil Surgeon of Rajshahi is also the Superintendent of the Central Jail. He gets Rs. 300 as his allowance. The average jail population of Midnapore is nearly the same as that of Rajshahi, but I find that there is a whole-time officer for the Midnapore Central Jail. The present incumbent is not a medical officer. The Civil Surgeon is to remain in charge of medical duties and gets Rs. 100 per mensem. I find no reason why a whole-time officer is required for the Midnapore Central Jail. Last year when the present incumbent was on leave the Civil Surgeon of Midnapore remained in charge of the Jail in addition to his own duties on an allowance of Rs 300 per mensem. I, therefore, propose that the Civil Surgeon may be allowed to remain in charge of the Central Jail. With these words I beg to propose my motion of reduction of Rs. 5,000. I hope the Council will accept it.

**Mr. E. VILLIERS:** I wish to oppose this demand for the reduction of Rs. 5,000 out of the total amount of Rs 23,400. It should be quite obvious to the House that one of the first requisites of a jail of any description is to have it adequately superintended. In this connection I wish to remind the Government, if I may, of the points which I raised sometime ago on the general discussion of the Budget to draw their attention to the hopeless inadequacy of the jail arrangements in regard to juvenile prisoners and I trust that they will take necessary steps to see that something is done in the matter and put matters on a sounder footing.

**Mr. F. E. JAMES:** I do not know whether I shall be in order while speaking on this motion in referring to the question of the treatment of juvenile offenders and the necessary accommodation for those who are so dealt with. I should like in the first place to ask the Government whether in this particular matter anything could be done to prevent the system of short sentences which now prevails and whereby children could be sent for very short periods to houses of detention instead of to juvenile jails. It does seem to me that it should be possible to make representation to Magistrates with regard to this matter and I should like to ask the Government as to whether some steps could not be taken to point out to the Magistrates dealing with juvenile offenders

that they should regard them as children and not as offenders and should hesitate to remove them for short sentences to any place of detention. In the second place I should like to ask the Government whether there is any possibility of altering the system whereby in Children's Courts special Children's Magistrates could be established. In all the large towns in the West there is, as a rule, a Special Children's Magistrate in charge of the Children's Court whose special and sole duty is to adjudicate on those particular cases. I do urge this upon the Government and suggest that if a suitable Magistrate were appointed, he should have associated with him one other person of suitable qualifications and that a woman should be appointed to assist him in dealing with juvenile offenders. I press very strongly the appointment of a woman Magistrate in connection with juvenile crimes. My second point is in special regard to the house of detention itself.

**Maulvi MD. NURUL HUQ CHAUDHURY:** Sir, I rise to a point of order. Mr. James is not speaking on superintendence, but is talking of women Magistrates and this and that and so on.

**Mr. PRESIDENT:** He is as much in order as the hon'ble member was when speaking on the travelling allowances of High Court Judges.

**Mr. N. C. SEN:** May I understand if that is your ruling?

**Mr. PRESIDENT:** I am not giving a ruling. I have not called Mr. James to order for the very good reason that if I have his speech now I shall not have it later on. Similarly, I allowed Maulvi Md. Nurul Huq Chaudhury in order that I might be spared further speeches from him. Mr. James please go on.

**Mr. F. E. JAMES:** I should like your indulgence and that of the members of the House as I believe that this is a matter which should be of interest to the members on the opposite side. Referring to the house of detention there are two points which I should like to mention. The first one is this: the jurisdiction of the house of detention is limited to the municipal limits of Calcutta. I hope I am quite right in that statement. That being so, the population outside the municipal limits both in Howrah and in 24-Parganas is unprovided for. With regard to the house of detention therefore is it possible, either to extend the jurisdiction of the particular house of detention or to make provision for the establishment of similar places in Howrah and in the 24-Parganas. My third point is in connection with the juvenile jail. I would suggest very strongly that the whole nature of this particular place should undergo a change. I do not believe that the imprisonment of children can reform them. Experience proves the contrary and I would recommend to those who want to know about it a book which has just been published on "Reformatory Reform" by one who was himself an inmate of a

reformatory. My point in the first place is that "juvenile jail" is a wrong name. We should never put a child into a jail. In the second place, the remand cases and convicted cases should not be put in together—they should be separated. (I mean those cases of children who are under trial and those cases of children who are convicted and are undergoing sentences). In the third place I would like to ask the Government whether it is not possible, and I believe it is, to alter the system whereby children are employed at present in turning out tablets of quinine. The house of detention or juvenile jail or industrial school or whatever you may call it should be closely associated with the Education Department and also with the Department of Industries. It is no use keeping a child in a school or a jail unless those years which he is spending there are being used for fitting him to take his place in ordinary society when he leaves. Therefore, I suggest we should have qualified technical instructors visiting the school and taking small classes of those who are undergoing sentences for the purpose of teaching them various trades and occupations which can be useful to them when they leave. The fourth point is the great and crying need for a reformatory——

**Mr. KIRAN SANKAR ROY:** Is Mr. James in order in speaking on juvenile jails as Maulvi Zannoor Ahmed has not yet moved his motion on juvenile jails?

**Mr. PRESIDENT:** I have already given the indulgence to Maulvi Md. Nurul Huq Chaudhury to speak on the general policy with regard to the administration of justice and I cannot refuse it to Mr. James. I cannot give indulgence to one side of the House only. If I ruled Mr. James out the effect would be that I had allowed indulgence to one side while I refused the same to the other side. My wish is to be fair to both sides. Go on, Mr. James.

**Mr. F. E. JAMES:** As certain members of the House are not inclined to hear me and as the time is nearly up and also as I have nearly finished I have no desire to talk further on the subject.

**Dr. H. W. B. MORENO:** I rise, Sir, just to occupy the time of the Council for a few moments. But do I understand that the time is up for the Hon'ble Member in charge to reply?

**Mr. PRESIDENT:** We have to close the debate at 5-33.

**Dr. H. W. B. MORENO:** Then I shall not speak.

**The Hon'ble Sir HUGH STEPHENSON:** So far as I understand, this motion was moved in order to call attention to what is not a fact, namely, that Midnapore is a second or third class Central Jail.

It is a first class Central Jail and it has been so for some years. I trust that if the mover had known that, he would not have moved the motion.

As regards Mr. Villiers' and Mr. James' speeches, the question of juvenile offenders is one that is of enormous importance to the Jail Department. Mr. James refers to short sentences. The Jail Department, and, I might say, the Judicial Department have also for years been crying out against this inequity of short sentences; but there are difficulties in the way. At one time it was proposed to prohibit short sentences by law. But the Magistrates when tackled on the question replied:

> What are we to do. There are no reformatories where we can send them to. We cannot turn them out in order that they may simply steal and come back again. If you give us houses of detention, then we shall stop short sentences.

**Mr. F. E. JAMES:** Might I ask, Sir, whether it would not be possible to extend the probation system rather than short sentences?

**The Hon'ble Sir HUGH STEPHENSON:** This was one of the recommendations of the Jail Committee, but it costs money which it is very difficult to obtain from this Council. Probation system means probationary officers, and there is no good starting the system without probationary officers. What we do want is the extension of the detention house and the extension of the Reformatory Schools and a Borstal Institution to separate the adolescent from the child and the youths from the boys. They ought not to be kept together in the ordinary jail and that is what we are trying to do away with. As regards the juvenile jail we had a committee to look into the question and they made certain recommendations. We do want to improve their training instead of merely teaching them to make quinine tablets and we will go into the question as soon as the Revenue Department can arrange to make the tablets at the cinchona factory. We shall have then to alter the structure of the juvenile jail. We have already had plans and estimates prepared for the alteration so as to make the jail more like a school. But we cannot make it a school altogether. The inmates of the jails are convicts and the authority of the Superintendent rests upon the Prison Act. But we want to make the juvenile jail come more into the lines of educational institutions and of industrial schools and we want to make the staff more an educational staff to impart industrial training.

As regards the house of detention although it is not strictly relevant to the question I may say that a new house of detention has been opened at Howrah and as a part of the reforms of the juvenile jail, we wish to open another house of detention in Alipore so as to prevent the juveniles who have not been convicted from being confined in juvenile jails at all.

The motion of Maulvi Zannoor Ahmed was then put and lost.

Time-limit having been reached the following motions were not called:—

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 7,25,000 under the head '25A.—Central Jails' (page 84, Civil Estimate) be reduced by Re. 1."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 9,72,000 under the head '25A.—District Jails' (page 85, Civil Estimate) be reduced by Re. 1."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 9,000 under the head '25A.—Jails—Juvenile Jail—Pay of Superintendent and Deputy Superintendent' (page 85, Civil Estimate) be reduced by Rs. 7,200."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 3,33,000 under the head '25A.—Jails' for Sub-jails (page 87, Civil Estimate) be reduced by Rs. 20,000."

**Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY and Babu ROMES CHANDRA BACCHI:** "That the demand of Rs. 25,58,000 under the head '25A. Jails' (page 82, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 25,58,000 under the head '25A. Jails' (page 82, Civil Estimate) be reduced by Rs. 10,00,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 25,58,000 under the head '25A. Jails' (page 82, Civil Estimate) be reduced by Rs. 2,58,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 25,58,000 under the head '25A. Jails' (page 82, Civil Estimate) be reduced by Rs. 1,58,000."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 25,58,000 under the head '25A.—Jails' (page 82, Civil Estimate) be reduced by Rs. 1,00,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 25,58,000 under the head '25A.—Jails' (page 82, Civil Estimate) be reduced by Re. 1."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 21,000 under the head '25B.—Jail Manufactures—Pay of Skilled Labour' (page 88, Civil Estimate) be reduced by Rs. 8,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 7,000 under the head '25B.—Jail Manufactures—Jail Depôt Establishment—Pay of Manager' (page 88, Civil Estimate) be reduced by Rs. 1,800."

**Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY and Babu ROMES CHANDRA BACCHI:** "That the demand of Rs. 7,04,000 under the head '25B.—Jail Manufactures (page 88, Civil Estimate) be refused."

**Mr. J. M. SEN GUPTA, SHAH SYED EMDADUL HAQ, Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMATHA NATH ROY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements (Reserved)' (page 81, Civil Estimate) be refused."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements (Reserved)' (page 81, Civil Estimate) be reduced by Rs. 17,14,000."

**Babu MANMATHA NATH ROY:** "That the total demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements' (page 81, Civil Estimate) be reduced by Rs. 1,76,000."

**Babu MANMATHA NATH ROY:** "That the total demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements' (page 81, Civil Estimate) be reduced by Rs. 1,47,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements' (page 81, Civil Estimate) be reduced by Rs 1,19,000."

**Babu BEJOY KRISHNA BOSE, Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR, and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 32,67,000 under the head '25.—Jails and Convict Settlements (Reserved)' for Jails and Convict Settlements (page 81, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 32,67,000 be granted for expenditure under the head "25. Jails and Convict Settlements" was then put and agreed to.

## 26.—POLICE.

**MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** I move that a sum of **Rs. 1,70,12,000** be granted for expenditure under the head "26.—Police."

**Maulvi ZANNOOR AHMED:** *I move that the demand of Rs. 72,400 under the head "26A.—Presidency Police—Pay of Deputy and Assistant Commissioners" (page 90, Civil Estimate) be reduced by* Rs. 10,000.

The Retrenchment Committee recommended for the retention of 5 Deputy Commissioners and 6 Assistant Commissioners. I find that no effect has been given to these recommendations. The Calcutta Police Force is too large. There is no necessity for retaining 10 Assistant Commissioners. The work of the Assistant Commissioners can be carried on by Senior Inspectors. I, therefore, move for the reduction of Rs. 10,000. I hope the Council will accept the motion.

The following motions were called but not moved:—

**Mr. N. C. SEN:** "That the demand of Rs. 79,500 under the head '26A.—Presidency Police—Pay of Officers' be reduced by Rs. 10,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 23,000 under the head '26A. Presidency Police—Superintendence —Travelling Allowance' be refused."

**Maulvi ASIMUDDIN AHAMAD:** I move that the demand of Rs. 2,40,700 under the head '26A.—Presidency Police—Superintendence" (page 90, Civil Estimate) be reduced by Rs. 2,00,000.

The following motion was called but not moved:—

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 2,40,700 under the head '26A.—Presidency Police—Superintendence' be reduced by Rs. 50,000."

**Maulvi ZANNOOR AHMED:** I move that the demand of Rs. 1,73,900 under the head "26A. Presidency Police—Calcutta Police—Pay of Inspectors" be reduced by Rs. 10,000.

Sir, in 1914 the number of Inspectors was 28 and in the year 1923 the number was doubled and the Budget of this year provided for 56 Inspectors and the reason for the increase was to provide a career for the officers of the force. In the Bengal Police there were 1,677 Sub-Inspectors and only 194 Inspectors. I see the Bengal Government have been too generous towards the Calcutta Police.

The following motion was called but not moved:—

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 2,50,000 under the head '26A.—Presidency Police—Calcutta Police—Sergeants' (page 91, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi ZANNOOR AHMED:** I move that the demand of Rs. 2,50,000 under the head "26A.—Presidency Police—Calcutta Police—Pay of Sergeants" be reduced by Rs. 10,000.

Sir, in 1913-14 there were 115 Sergeants but this number has been increased to 138 this year. I cannot find any reason for this increase. I, therefore, move for the reduction by Rs. 10,000.

The following motions were called but not moved:—

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 2,50,000 under the head '26A. Calcutta Police Sergeants' (page 91, Civil Estimate) be reduced by Rs. 100."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 2,50,000 under the head '26A. Calcutta Police Sergeants' be reduced by Re. 1."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 25,600 for temporary force under the head "26A. Presidency Police—Calcutta Police—Pay of Establishment—Temporary Force" be reduced by Rs. 20,000.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 4,000 under the head "26A. Presidency Police—Calcutta Police—Supplies and Services Arms, Accoutrements, etc." be refused.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 4,000 under the head "26A. Presidency Police Calcutta Police—Supplies and Services Arms, Accoutrements, etc." be reduced by Rs. 2,000.

He spoke in Bengali in support of these motions. The English translation of his speech is as follows:—

Why do we startle when we come to speak about the police? We owe to the police more coercion, oppression, wrong and injustice than anything else. In many cases, they, instead of maintaining peace in the country, create disturbances and yet they are the faithful servants of Government. What they say and the reports submitted by them are believed in as gospel truth. It is not that they do not contribute in some way to maintain peace in cases of outbreaks and riots, but very often their individual interest and personal zeal lead them to do great harm to the people of the country by whom they are maintained. The inhabitants of Calcutta will speak of the greater impudence of the Calcutta Police. Though the police have numerous such qualifications, a large part of the revenues of Bengal is spent over them and the amount is being increased everyday in defiance of our protests and adverse speeches and remarks. Even the report of the Retrenchment Committee, constituted of Government nominees, is disregarded. We have rejected many demands for the police and last year huge reductions were made on motions moved by me but all the same they were restored by certification.

All the members of the Police Service, from the highest to the lowest grade, are moved by the same spirit. I have come to the conclusion after the examination of hundreds of cases. I have personal experience of the wrong conduct and undue greed of the Sub-Inspector of the Police Station, within the jurisdiction of which I reside at present. Specific instances of this were brought to the public notice by the local newspapers, but we cannot be sure that the police did not, in dealing with these cases, cast the blame on others or submit confidential reports. The mufussal police and the Calcutta police belong to the same class, though the white-skinned police sergeants of Calcutta have some speciality of which we shall speak in the proper place.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 86,000 under the head "26A. Calcutta Police Travelling Allowance" be refused.

The expenditure on this head is very great so far as Calcutta is concerned, because the travelling is done within the bounds of Calcutta or its neighbourhood. I am aware that the Calcutta Police have to keep watch and ward over foreigners as soon as they get into the city and sometimes the police have to accompany them even beyond the bounds of Calcutta. Sir, taking all these into consideration, I still maintain to what I have said already that this demand for Rs. 86,000 for travelling allowance of the Calcutta Police is rather extravagant and too excessive. The Retrenchment Committee, as my hon'ble friends, Shah Syed Emdadul Huq and Maulvi Zannoor Ahmed have just now pointed out, all along advocated that the expenditure under police ought to be curtailed and that the posts of Deputy and Assistant Commissioners of Police should be reduced and that their work should be carried on by other men serving under the department. Sir, in my Budget speech I said that about 20 per cent. of the total income of the revenue of Bengal was being spent on police; and yet, Sir, all kinds of injustice and cruelty and I should say other acts are perpetrated on the people of Bengal and that this is done in the name of law and order. Sir, I have seen with my own eyes that the police have subjected any amount of oppression and indignities to under-trial prisoners.

**Mr. PRESIDENT:** I am afraid, Maulvi Sahib, that has got nothing to do with the travelling allowance of the Calcutta Police.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I live in 33/1, Alimuddin Street and the police outpost situated at 33, Alimuddin Street, can be overlooked from my house. I can see from the verandah of my house the under-trial prisoners who are in the lock-up. I will tell you an instance. A Muhammadan coachman was arrested and till 4 o'clock he was not provided with a morsel of food or a drop of water. He began to cry out and ultimately I inquired as to why he

was crying for. He told me that he was hungry and that he had committed no offence. He said that he was a driver of such and such gentleman and implored me to send information to his master about him. He begged of me to give him something to eat. I sent my servant to get *kabab and paratta* from the Ripon Street Hotel. When my servant got the thing I asked the policeman to allow my servant to take that food to the coachman so that he might eat and satisfy his hunger. Sir, there was a total denial on the part of the policeman. He said "I cannot allow you to do that as we have got no orders to the effect." I then inquired of that policeman: Have you given that man any food or water to drink? "My superior officer has not yet ordered me to give anything" was the answer of the policeman. I asked him what was the time? "I do not care what is the time, and unless and until my superior officer orders me to do so I am not going to give him anything" he replied. This is an incident which I have seen with my own eyes. Sir, to an Indian an incident like this is most heartrending and I cannot stand it. I do not know whether the European officer or the sergeant under whose charge this outpost is, can stand it or not. But at any rate I for myself cannot stand it. I submit that it is most disgraceful on the part of the Calcutta Police to keep those under-trial prisoners in lock-up without food and water during the greater part of the day. We live in the town of Calcutta which is the second city of the Empire. If these things go on in Calcutta where there are so many police officers to take notice of these things, I cannot imagine what will happen in districts outside Calcutta where there are not so many officers, telephonic communication and other conveniences to carry the news to the superior officers. I bring these facts particularly to the notice of the Hon'ble Sir Hugh Stephenson so that he may take notice of what is happening. If he thinks that I am telling a lie —

**Mr. PRESIDENT:** It would not be in order for the Hon'ble Member in charge of Police to accuse you of telling a lie. I think you should use the words "an incorrect statement."

**Maulvi MD. NURUL HUQ CHAUDHURY:** If the Hon'ble Member in charge thinks that this is an incorrect statement, then if he will kindly inquire about it he will find that what I say is true. I say this because the answer may be given that *no* such thing happened. But I have seen the thing myself and I am making a public statement in the Council on the subject so that in future these things may not occur. I hope that the Hon'ble Member in charge will see that under-trial prisoners are properly fed and treated in future and as a protest, and also that this expenditure is to a great extent unnecessary, I submit that it be refused.

The following motions were called but not moved:—

**Babu HEM CHANDRA NASKER:** "That the demand of Rs. 35,000 under the head '26A.—Presidency Police—Calcutta Police—Rewards' (page 91, Civil Estimate) be refused."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 25,80,000 under the head '26A.—Calcutta Police' (page 91, Civil Estimate) be reduced by Rs. 1,64,000."

**Dr. H. W. B. MORENO:** I am afraid on this occasion I should be like Banquo's ghost because I am determined on this occasion to vote for a reduction of the grant for the police. I do so for very weighty reasons. The most important reason is that I have got a mandate from my community to do so, and the trouble has arisen because of the discrimination made between Europeans and Anglo-Indians in regard to appointments in the Police Force especially. Now I have nothing to say with regard to the Calcutta Police, for there I am told the Commissioner is quite sympathetic towards the Anglo-Indians and he takes in Anglo-Indians along with Europeans for posts for which Anglo-Indians and Europeans are suitable. But I would particularly like to draw the attention of this House to an advertisement issued by the Inspector-General of Police

**The Hon'ble Sir HUGH STEPHENSON:** Sir, this has nothing to do with the Calcutta Police. It would be more convenient if the member speaks on motion No. 715. There are a very large number of these motions coming in which deal with the District Police.

**Mr. PRESIDENT:** I cannot allow anything to be said outside the Calcutta Police. I was just waiting to see what point Dr. Moreno was developing. The advertisement has not got anything to do with the Calcutta Police. We are now dealing with the whole series of amendments which deal with the Calcutta Police only. Dr. Moreno, you had better wait till motion No. 715 comes on.

**Dr. H. W. B. MORENO:** My difficulty is this. There are so many loquacious members in this House that I am afraid by the time we get to No. 715, the time will be up and I shall be shut out.

**Mr. PRESIDENT:** I cannot help that. But I should like to point out that we have 7 hours allotted for the discussion of the Police Budget and if you cannot reach No. 715 in 7 hours the fault is not mine.

**Dr. H. W. B. MORENO:** Then, Sir, I shall reserve my remarks for the present.

**Mr. A. C. BANERJEE:** Sir, with regard to the demand for supplies, I am glad that there have been several proposals

for rejection in regard to the Calcutta Police. The first reason for my supporting this reduction is this: that those who live in the Indian part of the town, and I believe my friends who live also in the European part of the town, are aware of the fact that the police is never present when there is an unlawful occurrence but always come after the event. The Hon'ble Mr. Donald laughs at this because he is not familiar with what takes place daily. I know it from my own personal experience that a man was hammered almost to death but the police arrived on the scene some time at about 12 o'clock although the actual hammering took place at 11. That is exactly what we find happening in the different parts of the town. I sent in a number of questions some time ago but I have not yet received any answers to them. We have in Calcutta a sufficient number of police to ensure the safety and security of the citizens but in times of need they are conspicuous by their absence. I made private inquiries and I have been told that nearly half the men are on leave. I cannot understand why other men cannot be taken in to do their work. You are always appealing to us that we must give you plenty of money for the maintenance of law and order. You take the money no doubt, but you do very little indeed for the maintenance of law and order in Calcutta at all events. Then, Sir, there is another thing with regard to the police in Calcutta and that is the amount of corruption that prevails in the Calcutta Police. I do not think that the mufassal police is backward either in this respect. I do not think that you will find such corruption anywhere else in the world. Mr. Gokhale some years ago from his place in the Supreme Council said that the police in India was about the most corrupt in the world. I say that the Calcutta Police is the most corrupt in India——

**Mr. PRESIDENT:** Order, order! I do not think you can condemn the whole Police Force in Calcutta like that. I would ask you not to pursue that line of argument.

**Mr. A. C. BANERJEE:** That remark was made by Mr. Gokhale in the Supreme Council and he was allowed to make that remark there.

**Mr. PRESIDENT:** I cannot help that.

**Mr. A. C. BANERJEE:** In that case I am helpless. Anyway, Sir, I submit that if having regard to the purity of their character and having regard to the purity of their conduct and having regard to the fact that they never illegally exact a single pice from anyone in Calcutta if having regard to all these things they want more money, we are bound to give it but does that purity exist, does that superior supervision exist which would prevent the police from taking illegal gratification from particularly the poorer class of people? I would ask the Hon'ble Member to go and watch the crossings in our roads

where the bullock cart traffic is heavy and he will find that the policeman makes at least Rs. 3 or Rs. 4 a day by taking a pice or more from each carter. That is a notorious fact which is known to everybody and which is known to Mr. Tegart himself. It is the poor men who suffer most owing to this greed for illegal gratification on the part of the Calcutta Police.

**Mr. E. VILLIERS:** What is the difference between discussing the corruption of the whole Police Force and the taking of illegal gratification in the shape of a levy of one pice on the bullock carts?

**Mr. PRESIDENT:** I much dislike calling members repeatedly to order, but I must ask Mr. Banerjee not to pursue that line of argument.

**Mr. A. C. BANERJEE:** In that case, Sir, all that I can say is that whatever money collected principally from the poor tax-payers is demanded from time to time for the purpose of spending on the much pampered police is wrongly, and I may say irreligiously, spent.

**Mr. S. N. HALDAR:** I did not think that I should speak on the subject but having regard to the fact that huge sums of money have been allotted for the Calcutta Police as will appear from page 91 of the Civil Estimate, I think I must say a few words. The figures are simply astounding. For 350 Inspectors Rs. 1,73,000 has been provided, for 200 Sub-Inspectors Rs. 1,95,000 and for 200 Sergeants Rs. 2,50,00 have been provided.

**The Hon'ble Sir HUGH STEPHENSON:** I think the hon'ble member has been misled. The figure 200 is the salary of the sergeants and not the number.

**Mr. PRESIDENT:** The numbers are given in the preceding column.

**Mr. S. N. HALDAR:** What I meant was that Rs. 200 was provided as pay for each sergeant. We have got 138 sergeants and the whole amount for these 138 men comes up to Rs. 2,50,000. What are the sergeants here for? They are kept here for nothing else except for show. We find that these men parade about the streets in Chowringhee armed *cap-a-pie* with revolvers: they parade at the Eden Gardens and they come here to attend the Council. That is all their duty. Occasionally some half a dozen of them are placed on duty at the High Court and the behaviour of these sergeants towards the natives of our country is simply staggering. Their behaviour is not that of well trained officers but that of an absolutely arrogant lot, and instead of thinking themselves to be the servants of the public which they are they consider themselves to be the masters of the situation.

**Mr. PRESIDENT:** I do not think that charges of this kind should be made against a whole class of officers.

**Mr. S. N. HALDAR:** How am I to convince the House if I do not bring to the notice of the House certain facts which I have noticed with my own eyes?

**Mr. PRESIDENT:** It would be better to bring specific facts to the notice of the House without bringing charges of arrogance against the whole force.

**Mr. S. N. HALDAR:** I would ask every non-official member of this House to tell me whether it has not come to their notice that the sergeants are generally not civil. They think themselves to be the masters of the situation. These 138 men are simply for show. There are people who think that that these sergeants might be of great use in times of necessity. That is the reason for keeping up this show and for regulating the traffic when some public function takes place. For these people we have to pay Rs. 2,50,000. I say that this is a piece of injustice committed on us which is unparelled in the history of the world. You will never find it anywhere in the world. A sum of Rs. 2,50,000 for 138 people! If that be a necessity my suggestion to the Hon'ble Sir Hugh Stephenson is this, that for the benefit of Calcutta and its European residents who think that the safety of their person and property will be in jeopardy if 138 sergeants are not appointed, Calcutta should pay especially for them. The police should come under the Municipal Act and under its control and Calcutta alone should pay for them. The whole of the Calcutta Police should be municipalized, and the whole of the expenditure ought not to be a burden on the tax-payers of Bengal, because I think that if you will kindly refer to the report of the Retrenchment Committee you will find that these people have not done much work in respect of detection of crime. None of these police people are a help to us. What we generally find when there is a case of theft in an ordinary house and my friends over there especially those who live in the Ballygunge area where I have the honour to live, and where almost every house has been burgled into, will support me—that burglars are generally undetected. In how many cases could they tell me that they detected the criminals? If you take the percentage of detection you will find that it dwindles almost to nothing. Every day houses are burgled into. There are sergeants going about in expensive motor cycles and there are also police constables but you will never find them after 9 o'clock at night. If you will kindly drive round all this area you will find that the sergeants and parawallas are *non est*. They are not to be found and thefts are going on regularly and every house is being burgled into almost every night and it has become a menace. We have to pay for them and why? Because we have no control over them. We have got

absolutely no control over the Law and Order Department. If we want control over them and their efficiency I think they should be municipalized, that is brought under municipal control and the whole amount expended on them should be found by the people of Calcutta. Then only can they be made more pliable and more efficient. We don't require highly paid officers like the sergeants. We want a few honest men, honest in their work, men who conceive that the whole idea of their service is to serve the people and not become their masters. These are the men we want. But the way the recruitment goes on they think that immediately they get the policeman's badge they are masters of the situation. If you go to the police courts you will find the same thing—police sergeants regulating the traffic of people who go there to defend themselves, and if I may say so, Sir, illegal exactions do also go on.

**Mr. PRESIDENT:** I hope you won't say that.

**Mr. S. N. HALDAR:** Very well, Sir, but it is a fact all the same.

Sometime ago I read in the Police Administration Report that this was a general complaint. If you go to the Tollygunge area and stand at the Gariahat road early in the morning, say at 4 o'clock, when all vegetables come from that area, you will find the inevitable policeman there exacting money from the poor people. I have seen it with my own eyes. I have seen it in Lansdowne Road also. (A VOICE: Did you go there also so early in the morning?)

**Mr. S. N. HALDAR:** Yes, on account of public duty I had to do this work now and then—just to keep an eye on your police.

In one or two instances I have tried to bring them to book but I have not been successful because the superior officers are deaf to all complaints. You will find that for weeks no investigation is made and this is, Sir, the state of affairs in regard to complaints made by us, and for this we have been made to pay the tax-payers' money in this fashion. That is a luxury which we do not want at all, and if we want an efficient police it should be brought under the control of people who pay for them.

**Babu AMULYA DHONE ADDY:** There are two amendments in connection with the salaries of the sergeants, *viz.*, Nos. 675 and 676. I strongly object to the amendment No. 675 under which there is a proposal for the reduction of the salaries of the sergeants——

**Mr. PRESIDENT:** Amendment No. 675 has not been moved.

**Babu AMULYA DHONE ADDY:** Very well, Sir. Thank you. I will not speak on it. With regard to No. 676 I have much pleasure in seconding it. This is a proposal for the reduction of the Budget

grant for the salary of police sergeants from Rs. 2,50,000 by Rs. 10,000. I hope and trust, Sir, that the Hon'ble Member in charge of the Police Department will accept this suggestion on the grounds that I am going to put forward. Though I am supporting the amendment I must say that I do not agree with the views as laid down by my friend, Mr. Haldar. He has expressed the view that it is the Calcutta Corporation which should pay for the Calcutta Police. I beg to submit that it is not only the citizens of Calcutta who are interested in the retention of the sergeants in Calcutta, but as Calcutta is the centre of trade and commerce of Bengal it is the general tax-payers of Bengal who should pay for it. This question was raised in the Council about two years ago and a Committee consisting of representatives of the Calcutta Corporation as well as of this Council was appointed and so far as I remember there was a strong difference of opinion and finally they came to the conclusion that Calcutta should not be charged with the expenditure because it is the general tax-payers of Bengal who are interested in the retention of police even in Calcutta. As I have already said I do not support the amendment on the grounds advanced by Mr. Haldar. He has found fault with the sergeants. I am sorry I have nothing to say on this point but I submit my suggestions purely on the ground of economy. It appears that we are going to pay Rs. 2,50,000 as salary for only 138 sergeants, while we are to pay Rs. 61,000 for 228 sepoys. The maximum pay of a sepoy is Rs. 22, whereas the maximum pay of a sergeants is Rs. 200. My suggestion is not to do away with the sergeants all at once but to replace them by qualified sepoys gradually. That is the reason why I suggest that there should be a reduction of Rs. 10,000. It appears from the report of the Retrenchment Committee that in the year 1923 the number of sergeants was 115, then it was increased to 121 but now it appears that it is going to be further increased to 138. Not only are we asked to pay handsome salaries to the sergeants but also to pay prohibitive rents for their accommodation in Calcutta. It appears from the Budget itself that there is a provision of Rs. 3,62,000 for rents, rates and taxes for the accommodation of police officers, including the sergeants. Therefore, Sir, on the ground of economy it is desirable that the number of sergeants should be replaced by sepoys in course of time. As regards rates and rent the Retrenchment Committee has also said that they appear to be very high for all grades of officers. The whole thing seems to be very extravagant. Their pay is extravagant and rent for their accommodation is also very extravagant. Sir, being a member of the Moderate party I make this moderate suggestion and I hope and trust that the Hon'ble Member in charge will see his way to accept it, and if not, I shall ask for a division.

**Babu AKHIL CHANDRA DATTA:** I am anxious to invite the attention of the House to the scale of pay of the sergeants as compared

with that of the assistant sub-inspectors and ordinary constables. It will appear from page 91 of the Budget that the pay of the head constables is Rs. 22 or less and although the same function is performed by the sergeants they receive Rs. 200 or less. I do not know if there is any real distinction betweent the services performed by the Indian constables and the sergeants. If there is any difference that difference is in their skin and colour, nothing beyond that. We find that even assistant sub-inspectors and head constables who are presumably entrusted with some responsible functions are paid only Rs. 50 a month, that is 4 assistant sub-inspectors are equal to one sergeant; in other words, 4 assistant sub-inspectors who are presumably men of some education get one-fourth of the pay that an uneducated sergeant receives. All this is what should I say—irritating—irritating, nothing short of that. I would ask the Hon'ble Member in charge that if that sort of discrimination was made on the other side, namely, if I were to propose to-day to the Hon'ble Member in charge that the Indian constables ought to get Rs. 200 and the sergeants Rs. 22 and in support of my contention and my claim I said that these constables being the children of the soil deserved preferential treatment, what answer would he give? How would he receive it. The longer this distinction is continued the worse it is from the standpoint of the Government. Sincere friends of Government should advise the Government to do away with this irritating distinction. I should like to know from the Hon'ble Member in charge if in point of fact there is any difference between the work done by the two. You speak of some training of which we know nothing, of which we see no manifestations in the actual performance of their duty. Of course, there we are helpless. This is one point.

The other thing that has been referred to by my friend is as regards arrogance. There is something wrong somewhere; something vicious somewhere in the system and the ideas with which these people are imbued that there can be so much arrogance towards their Indian masters.

There is something in the system, something in the ideas with which these people are imbued that there should be so much arrogance on their part towards Indians. They are called public servants, but I do not know whether they are public servants or public masters. Sometime ago, very recently I think, a grievance was made by my young friend Babu Hemanta Kumar Sarkar in some interpellation in which he drew the attention of the authorities concerned by way of illustration to the behaviour or rather the treatment which even the members of this House had received at the hands of the sergeants on duty downstairs, and the sort of discrimination they made between European and Indian members and specially between Indian members with *khaddar* on. I was really sorry that Hemanta Babu should have made this complaint. I

am disposed to think that if these things are to be remedied—and I do not know if I shall be guilty of some offence—that we should take the law in our own hands rather than make complaints on such small matters. Can anybody deny that these distinction are very, very irritating. I shall place myself in the position of an European sergeant, and if with the old ideas and traditions extending over 150 years, he does not properly behave to the Indian members of dark complexion with *khaddar* on, I can to some extent take a charitable view of that, but let me observe: what I do not understand, what I do not appreciate, in fact, what I cannot tolerate is this, that even after the attention of the authorities was drawn to this sort of discrimination made by the sergeants; we do not see any change, any remedy or any improvement.

**The Hon'ble Sir HUGH STEPHENSON:** If the member is referring to the question which was recently asked in regard to this matter, perhaps he would have the fairness to read out the answer.

**Mr. PRESIDENT:** Akhil Babu, I have not the least idea to what you are referring.

**Babu AKHIL CHANDRA DATTA:** I am asked by the Hon'ble Member in charge to read the answer. I do not care to know what the answer is, but what I do care to know is, What is the result of that answer. Has there been any change in the attitude of these people?

**Mr. PRESIDENT:** The difficulty is that you cannot say whether there has been a change or not till you know what the answer is. When you have studied the answer, then you will be able to discuss what the effect has been. I do not think you can go into that matter without reading the answer.

**Babu AKHIL CHANDRA DATTA:** Very well, Sir. I am sorry that I did not see the answer. It appears to me, however, that the remedy is worse than the disease; as these people are told that there should be no respects paid to any members, not even the European members. It may be quite in keeping with the traditions of the bureaucracy, but it certainly does not solve the problem, it makes the position still worse. Are we really to understand that these sergeants, who are waiting downstairs from day to day cannot distinguish members from non-members?

**The Hon'ble Sir HUGH STEPHENSON:** The whole of this speech is absolutely a misrepresentation of the question and the answer.

**Mr. PRESIDENT:** I cannot understand what Akhil Babu says. I had hoped that as an old and experienced member, Akhil Babu would avoid referring to the matter until he had seen the answer.

**Babu AKHIL CHANDRA DATTA:** Very well, Sir, I postpone this part of the discussion till after the adjournment, and I shall look up the answer in the meantime.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

**Babu AKHIL CHANDRA DATTA:** I have got the answer. I am sorry, Sir, I did not see it before.

**Mr. PRESIDENT:** Akhil Babu, may I know what the answer is?

**Babu AKHIL CHANDRA DATTA:** Certainly, I would not have made some of the observations I had made if I had seen the answer before.

**Mr. PRESIDENT:** What is the answer? I think the House is entitled to have the answer read out to them after the speech you made.

**Babu AKHIL CHANDRA DATTA:** Very well, Sir, I shall read the material portion of the answer:

In view of the difficulty in ensuring that police officers on duty at the entrance to the Town Hall shall recognize all members, Government consider it preferable that the practice of saluting members of the legislature individually, which is not part of their duties, should be discontinued. Compliments will, therefore, only be paid to the President of the Council and Members of the Executive Council and the Ministry; but the police at the entrance will not take their seats except when Council is sitting.

**The Hon'ble Sir HUGH STEPHENSON:** I would ask the hon'ble member to read out also the first part of the answer.

**Mr. PRESIDENT:** Akhil Babu, I understood you to say that you were going to read out only the material part of the answer, but I think that the whole answer should be read out.

**Babu AKHIL CHANDRA DATTA:** Very well, Sir, the whole answer is this:

This is not the case. It has been the practice for sergeants at the entrance to salute all members of Council whom they recognized, without differentiation as to their dress. It is to be remembered that these sergeants are on duty at the Town Hall only for a few days at comparatively long intervals, and cases may naturally occur where they fail to distinguish between members and visitors.

Does not arise.

**In view of the difficulty in ensuring that police officers on duty at the entrance to the Town Hall shall recognize all members, Government consider it preferable that the practice of saluting members of the legislature individually, which is not part of their duties, should be discontinued. Compliments will, therefore, only be paid to the President of the Council and Members of the Executive Council and the Ministry; but the police at the entrance will not take their seats except when Council is sitting.**

Mr. Tindall's attention appears to have been drawn to this matter last year, and, after inquiries, he reached the conclusion stated in the reply to paragraph (*a*).

**The Hon'ble Sir HUGH STEPHENSON:** I think, Sir, that the question should also be read out as the answer by itself would be meaningless.

**Babu AKHIL CHANDRA DATTA:** I shall read out both the question and the answer.

(*a*) Is the Hon'ble the Member in charge of the Police Department aware that the police sergeants at the entrance of the Town Hall stand up and salute the Council members in European costume, but do not show similar respects to the members in *khaddar*?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state whether they have any instructions from the Government to behave in this way?

(*c*) If the answer to (b) is in the negative, are the Government considering the desirability of setting matters right?

(*d*) Is the Hon'ble the Member aware that the notice of the Secretary to the Council was drawn to this fact last year by some members of this Council?

The answer is:

(*a*) This is not the case. It has been the practice for sergeants at the entrance to salute all members of Council whom they recognized, without differentiation as to their dress. It is to be remembered that these sergeants are on duty at the Town Hall only for a few days at comparatively long intervals, and cases may naturally occur where they fail to distinguish between members and visitors.

(*b*) Does not arise.

(*c*) In view of the difficulty in ensuring that police officers on duty at the entrance of the Town Hall shall recognize all members, Government consider it preferable that the practice of saluting members of the legislature individually, which is not part of their duties, should be discontinued. Compliments will, therefore, only be paid to the President of the Council and Members of the Executive Council and the Ministry, but the police at the entrance will not take their seats except when Council is sitting.

(*d*) Mr. Tindall's attention appears to have been drawn to this matter last year, and, after inquiries, he reached the conclusion stated in the reply to paragraph (*a*).

The Hon'ble Member in charge was anxious that I should read out the whole of the question and the answer. I might very well criticize the Government answer that there was no instruction given by any member of the Government. I do not think anybody ever suggested it; at all events I can speak for myself and I cannot conceive that either the Hon'ble Member in charge or anybody else had issued instructions to the sergeants regarding this sort of differentiation. That is not my point at all. But my point is whether that sort of thing was going on in spite of the fact that as early as last year, Mr. Tindall's attention was drawn to this matter; it must be admitted in view of the complaints that this sort of thing was going on for about a year.

**The Hon'ble Sir HUGH STEPHENSON:** I do not admit it.

**Mr. PRESIDENT:** I have not heard of it either in the question or in the answer.

**Babu AKHIL CHANDRA DATTA:** I am stating this, and I am responsible for the statement, because it is a matter in which there cannot be any incorrect statement. The fact is that the attention of the Secretary was drawn to this matter last year—that is fact No. 1. And fact No. 2 is, and it will be borne testimony to by any number of gentlemen, that this sort of thing was going on even after complaints were made to Mr. Tindall. I do not think that there can be any manner of controversy about these two facts. These facts are facts and I shall leave the conclusion to the Hon'ble Member in charge of the Police Department; and I put it to him whether it is a just grievance on the part of the Indian members wearing *khaddar*. I, for one, do not mind all this. After all, what does it matter if the sergeants do not make *salaams* to me. But, after all, some people are not of that temperament. And it is another human frailty of some people to be irritated when this sort of distinction is made by public servants. I, however, do not mind, Sir, what has happened in the past.

Let me now go into the remedial portion of the answer. Now, Sir, I wonder if the Hon'ble Member in charge or any other officer—I mean any other authority responsible for these instructions—will seriously consider for one moment what must be the inevitable result of the instructions given to these people regarding their treatment towards Indians. Have they seriously considered that aspect of the question? The position is this: There was a complaint made by some members regarding this sort of treatment meted out to them; and how without any word of warning or anything of that sort, the sergeants are told that they need not *salaam* the Indian members or even European members or even those Indians who wear European costume.

**The Hon'ble Sir HUGH STEPHENSON:** I would protest against this misrepresentation. The House heard the answer. The answer is that no member of the House would receive the courtesy of a salute; but only you yourself, Sir, the Members of the Executive Council and the Ministers would receive such courtesy, and I think, after all, the member is misrepresenting the answer.

**Babu AKHIL CHANDRA DATTA:** I do not really follow the hon'ble member. The instruction is there in black and white.

**Mr. PRESIDENT:** The usual convention in a Legislative Assembly is that when one member gets up and repudiates the construction put on his statement by another member, the other member accepts the explanation—that is the usual convention.

**Babu AKHIL CHANDRA DATTA:** I must confess, Sir, that I have not exactly understood the position, but I must now take my stand upon the answer.

**The Hon'ble Sir HUGH STEPHENSON:** Sir, we are dealing now with eight motions on the Presidency and the Calcutta Police. The bulk of the oratory on these motions has not been directed towards the motions themselves; and, perhaps, it would be as well if I deal first with the general aspect. I should, in the first instance, like to say a few word about the episode mentioned by Maulvi Md. Nurul Huq Chaudhury. Neither I nor the Government have denied that it is possible that the police may ill-treat the people sometimes. There are black sheep in the police as in every other Service. But the obvious duty of Maulvi Md. Nurul Huq Chaudhury was to report to the Commissioner of Police what had come to his notice and what he had seen with his own eyes and I have no doubt no member of the House can have any doubt that there would have been an inquiry into the matter. As regards Mr. A. C. Banerjee's speech the gist of it as far as I can gather was that the police are never present when offences take place. Well, it is not the fault of the police, that offenders will not commit their offences when the police are present. I, however, agree with Mr. Panerjea that there is not a sufficient number of police in Calcutta. We have been crying in the wilderness for some time past for an increase in the number. We have to take the police from one thana and put them into another as occasion arises. We have sometimes to deplete half the thanas in order to get the patrol police. If Mr. Banerjea will promise me his support I will try to increase the number of police in Calcutta.

**Mr. A. C. BANERJEE:** Sir, I want to say a word by way of personal explanation. I will certainly support him if he appoints honest men as police.

**The Hon'ble Sir HUGH STEPHENSON:** Then, Sir, Mr. Banerjee also raises the question of corruption. No one has maintained that in the Government service or in the Corporation service or in any other services in the world there is no corruption. This brings me to Mr. Haldar's speech. I have on a previous occasion in this Council when talking about the police pointed out that one of the greatest difficulties the Government have in dealing with offences is the indiscriminate mud-throwing. There is so much dirt thrown at the police that it is impossible for Government to know what actually are the facts. The police are the butt of accusations of a general character and some members of the House expect Government to fling the police to the wolves without any inquiry and without giving them a chance. In that case it would be impossible to have a self-respecting force of

any kind. What we want is a strong honest self-respecting force; and you will not get that so long as you go on throwing mud without any reasonable cause.

With regard to Mr. Haldar's estimate of sergeants, that is not the opinion which in the course of my five years' connection with the police of Calcutta, I have received from ordinary Indian residents of Calcutta. I have received testimonies to the excellent behaviour and the politeness and tact of the sergeant force of Calcutta; and whenever there have been any disturbances in Calcutta, the first application that is made to Government is for more sergeants to be deputed to deal with them. I appeal to the Marwaris to bear me out. In Hon'ble Sir Henry Wheeler's time we received no less than three deputations from Marwaris urging that a force of European sergeants should be placed in Burra Bazar. Then, Sir, Mr. Haldar's complaint that the money spent on Calcutta Police is a waste in as much as burglaries are committed nightly in almost every home and there is no detection. I wish Mr. Haldar had adopted Babu Bejoy Krishna Bose's habit of reading last year's debate. He would then have seen what I said as regards the Calcutta Police last year. I have not the up-to-date figures here but I may, perhaps, be allowed to read an extract of my speech a year ago. I may say at once that the state of crime in Calcutta is better than I have ever known it throughout my connection with the Government of Bengal. I said last year:

> The House will remember that the Goonda Act was introduced and came into force actually about last June. There has been no case of robbery in Burra Bazar in the whole of the last quarter of the year. There has been one case during the present quarter, but there are reasons for believing that that is not a true case. The percentage of detection in Calcutta crimes last year in cases reported was 83.4 which was the highest that I can find it has ever been. There was a decrease of Rs. 6 lakhs in the amount of property stolen last year. The true cognizable cases fell last year by 7,000

and so on; and yet it is said that the Calcutta Police detect no crime. I will not trouble the House with any further extracts but, Sir, I wish the members of this House before they come here to make wild statements as to the condition of things in Calcutta, and attack the police in Calcutta, would take the trouble to inform themselves of the facts.

Then, Sir, I come to the speech of Babu Akhil Chandra Datta. He has followed, what I regret to notice, his usual practise and has seized the occasion to raise a racial question and the whole of his speech was intended to raise that question. With reference to the last part of his speech as regards the conduct of the police in the House down below, I most strongly protest at the attempt being made to import any racial significance into it. Government in answer to a question denied that there was any racial distinction whatsoever and I object to Babu Akhil Chandra Datta using this question, without even taking

the trouble to read the answer, to import racial distinction. Well, Sir, his speech has, I think, been entirely discounted by the fact that he does not know the difference between the work of the European sergeants and that of the ordinary *parawallas*. I know Babu Akhil Chandra Datta comes from the mufassal, but before he talks about the conditions of Calcutta I think he should set himself to learn a little of what he is talking about.

Turning to the motions themselves, the first one is for the reduction of the pay of Inspectors by Rs. 10,000. That was moved on the ground that the number of Inspectors in 1913 was much less than those in 1925. I submit the comparison is entirely misleading. The number of Inspectors we are budgetting for next year is two less than the number of Inspectors we have at present. I could not understand from the mover's speech why he considers that we have too many Inspectors in Calcutta. The second motion is to reduce the pay of sergeants by Rs. 10,000. Well, Sir, it is not clear whether that was to reduce the pay of sergeants or to reduce their number. If it is a question of number I shall be only too happy to give to the House a list of their duties and the heavy responsibilities imposed upon them. If it is a question of their pay—Babu Amulya Dhone Addy joined the mover on this point—I can only say that you have got to pay the market value. The class of men we have, after long experience, decided, is the best for the class of work we want done, are men who have had regimental training and who have got first class regimental certificates. Their pay must be conditioned by the pay of the Army. The pay of the Army has been raised because living expenses have gone up and we have also had to raise the pay of our sergeants. I am quite at one with the members of the House that I would rather not have any sergeants at all than take what we can get on a reduced pay.

The next motion is for the reduction of the temporary posts by Rs. 20,000, we budgetted for the temporary force we intend to employ next year. The next one is for the travelling allowances. In this connection I should like to remind the House of what I have said almost every year since I have been in charge of the Police that the travelling allowances here are mainly fixed conveyance allowances and they are a part of the pay of the officers—fixed conveyance allowances for Inspectors and Sergeants, etc., come up to Rs. 71,880 and ordinary travelling allowance for non-gazetted officers is only Rs. 14,000. The amount is not excessive considering that it is often necessary for the Calcutta Police to go outside their jurisdiction for inquiries. The next one is for the refusal of rewards.

**Mr. PRESIDENT:** That has not been moved and you need not deal with it.

**The Hon'ble Sir HUGH STEPHENSON:** The next ones are Nos. 682 and 683 both moved by the Shah Sahib. He apparently wants to have two bites at the cherry and hopes to get at least a little bit of the skin. I do not think we need really discuss them.

**Rai HARENDRANATH CHAUDHURI:** May I ask one or two questions? In the first place, how the conditions in Calcutta and Bombay differ so much that Bombay can do with 49 sergeants——

**Mr. PRESIDENT:** That is not a question, that is a debating point.

The motion that the demand of Rs. 72,400 under the head "26A.—Presidency Police - Pay of Deputy and Assistant Commissioners" be reduced by Rs. 10,000 was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Rob.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin

**NOES.**

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Dey, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. G. M.
Geeds, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Sarkar, Maulvi Allah Bukhsh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 43 and the Noes 41, the motion was carried.

The motion that the demand of Rs. 2,40,700 under the head "26A.—Presidency Police—Superintendence" be reduced by Rs. 2,00,000 was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kadar.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chundar, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Rajkat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

**NOES.**

Abbott, Mr. E. G.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. P. E.
Liddell, Mr. H. C.
Miller, Sir Provash Chundar.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 43 and the Noes 40, the motion was carried.

The motion that the demand of Rs. 1,73,900 under the head "26A.—Presidency Police—Calcutta Police—Pay of Inspectors" be reduced by Rs. 10,000 was then put and a division taken with the following result:—

**AYES.**

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.

Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Dey, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Geede, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
James, Mr. F. E.
Liddell, Mr. H. C.
Milter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P
Woodhead, Mr. J. A.

The Ayes being 43 and the Noes 40, the motion was carried.

The motion that the demand of Rs. 2,50,000 under the head "26A.—Presidency Police—Calcutta Police—Pay of Sergeants" be reduced by Rs. 10,000 was then put and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagshi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Cupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Raschid.
Khan, Maulvi Mahi Uddin.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.

Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Ray, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Ray, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cerecran, Mr. B. J.
Das, Babu Charu Chandra.
Be, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. C. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf
James, Mr. F. E.
Lal Mahammed, Haji.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath, of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 43 and the Noes 40, the motion was carried.

The motion that the demand of Rs. 25,600 for temporary force under the head "26A.—Presidency Police—Calcutta Police—Pay of Establishment—Temporary Force" be reduced by Rs. 20,000 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneor.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohon.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Morene, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaja.
Oaten, Mr. E. F.
Parrott, Mr. F.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 42 and the Noes 39, the motion was carried.

The motion that the demand of Rs. 86,000 under the head "26A.—Calcutta Police—Travelling Allowance" be refused was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zanneer.
Bagchi, Babu Romes Chandra.
Baksh, Maulvi Kader.
Banerjea, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakravorty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyid Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohon.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Mahi Uddin.
Lal Mahammed, Haji.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Sateswripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. G. G.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. G. S.
Faroqui, Khan Bahadur K. G. M.
Goode, Mr. S. W.

Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 42 and the Noes 39, the motion was carried.

The motion that the demand of Rs. 4,000 under the head "26A.—Presidency Police—Supplies and Services—Arms, Accoutrements, etc." be refused was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Aaimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjee, Mr. A. C.
Basu, Babu Sarat Chandra.
Bose, Babu Bejoy Krishna.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Reb.
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das, Mr. C. R.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Gafur, Maulvi Abdul.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Maulvi Abdur Rashid.
Khan, Maulvi Mahi Uddin.
Maity, Babu Mahendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmohon.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Dr. Kumud Sankar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinranjan.
Sen, Mr. N. C.
Sen Gupta, Mr. J. M.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Abbott, Mr. E. C.
Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr. L.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Farequi, Khan Bahadur K. C. M.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf
James, Mr. F. E.
Lal Mahammed, Haji.
Liddell, Mr. H. C.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Mukerji, Mr. S. C.
Nazimuddin, Khaje.
Oaten, Mr. E. F.
Parrett, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Raja Manmatha Nath of Santosh.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 42 and the Noes 41, the motion was carried.

The following motion of Shah Syed Emdadul Huq was not pu it was covered by the foregoing decision of the Council:—

"That the demand of Rs. 4,000 under the head '26A.—Preside Police—Calcutta Police—Supplies and Services—Ar Accoutrements, etc.' (page 91, Civil Estimate) be redu by Rs. 2,000."

**Adjournment.**

The Council was then adjourned till 3 P.M. on Wednesday, 25th March, 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under th provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall Calcutta, on Wednesday, the 25th March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, and 106 nominated and elected members.

## The Budget of the Government of Bengal for the year 1925-26.

### Demands for Grants.

26.—POLICE.

The discussion of the demands for grants was then resumed.

**Mr. PRESIDENT (the Hon'ble Sir Evan Cotton):** Order, order! We have still 4 hours and 46 minutes for the discussion of the head "26. Police."

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 5,800 under the head "26A River Police Travelling Allowance" be refused.

I have got so many motions, and I do not want to make any long speeches to-day. I am in a difficult position as to what to do because I have many motions for total refusal in this as well as other departments. Further, I wish to move for the total refusal of the demand - -

**Mr. PRESIDENT:** It is not for me to advise you.

**Maulvi MD. NURUL HUQ CHAUDHURY:** But you might pull me up some time for making speeches which are not relevant to the demand. Therefore I have to travel over the whole ground. I want to make sure about the matter.

**Mr. PRESIDENT:** The best way to move for the total refusal is to withdraw all motions and concentrate on the main question. I gave you a good deal of indulgence yesterday, but I cannot have you making speeches covering more than one amendment.

**Maulvi MD. NURUL HUQ CHAUDHURY:** But so many motions stand in my name.

**Mr. PRESIDENT:** You need not move them, if you like.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I may not move them, but if others like to move them, I may not have any opportunity of speaking on them. I want to move all the motions I have on the agenda paper, but I want to make one speech on them all.

**Mr. PRESIDENT:** What kind of speech do you propose to make? You have already made a speech covering the whole demand.

**Maulvi MD. NURUL HUQ CHAUDHURY:** No. Yesterday I only spoke against the "Calcutta Police Travelling Allowance", nothing else.

**Mr. PRESIDENT:** My recollection is that in that speech you travelled over the whole ground when moving for the total refusal of the travelling allowance. If you have no particular argument to advance with regard to this amendment, it is best not to make a speech, but to pass on to the next. The quickest way will be to move this motion formally and to make no speech, and come to the main question for total refusal and make your speech on that question.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I have been actuated by another reason, and that is this. I believe our *Ramzan* commences either to-morrow or the day after. If I move all the motions now and deliver only one speech, that would simplify the whole matter That is the reason why I am asking your advice in the matter.

**MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** I am somewhat interested in this, and I may be allowed to give my views. I strongly object to Maulvi Md. Nurul Huq Chaudhury making one general speech. It would be impossible for me to reply to a general speech on a particular motion, and it might be assumed that I had no reply to make to the general part of the speech.

**Mr. PRESIDENT:** I cannot quite gather what he wants. If his proposal is to move all his amendments and make one speech, I cannot permit that.

**Maulvi MD. NURUL HUQ CHAUDHURY:** What I am suggesting is that I will deal with all the motions together and give an exact idea of the particular information I want, so that it will not be difficult for Sir Hugh Stephenson to reply.

**Mr. PRESIDENT:** I cannot allow that. You must take the amendments as they are on the paper. Do you wish to move No. 685?

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move it formally.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 77,900 under the head "26A.—Presidency Police—River Police" be reduced by Rs. 4,000.

He addressed the Council in Bengali. The English translation of his speech is as follows:—

Several times I have spoken on the subject of the police. Notice has been given of many motions on the subject but the time at disposal is quite short. The cost under this head was Rs. 70,000 in the proceeding year but this year there is an increase of Rs. 7,900 on it. In this circumstance, this motion for the reduction of Rs. 4,000 only is moved.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I formally move that the demand of Rs. 1,500 under the head "26A. Dock Police Travelling Allowance" be refused.

**The Hon'ble Sir HUGH STEPHENSON:** I would like to explain to the House what these demands are. The first motion is for the total refusal of Rs. 5,800 under the head "River Police Travelling Allowance." The travelling allowance under the head "River Police" covers the conveyance allowance of one Deputy Commissioner, 2 Inspectors, 3 Sub-Inspectors and 9 Sergeants; these are fixed conveyance allowances and cannot be altered. The remainder, coming to about Rs. 600, is for the ordinary travelling allowance, in case they have to go outside their jurisdiction in the course of their duties.

As regards Shah Syed Emdadul Haq's motion for reduction by Rs. 4,000, I presume he is comparing the budget estimate for this year with the budget estimate for next year. The increase is mostly under the head "Pay of Establishment." It is Rs. 1,27,000 next year against Rs. 1,06,000 in the current year. The reason for this increase is not any increase in establishment, but only that there is in the Accountant-General's office a very great deal of confusion between the Dock Police and the River Police, and I can only assume that he has mixed up the charges between the Dock Police and the River Police, and that will be borne out by an examination of the figures. In any case, there is no increase in establishment.

The third motion for the refusal of the travelling allowance of the Dock Police is covered in the same way. Out of Rs. 1,500, Rs. 1,260 represents fixed conveyance allowances to the Dock Police, and the remainder is for the ordinary travelling allowance if they go out of their jurisdiction. I may say with regard to the Dock Police that the Port Commissioners pay 7/10ths of it, and they are not likely to consent to any extravagance.

The motions of Maulvi Md. Nurul Huq Chaudhury were then put and lost.

The motion of Shah Syed Emdadul Haq was then put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 83,000 under the head "26A.—Police Training School" be refused.

He addressed the Council in Bengali. The English translation of his speech is as follows:—

It is perhaps enough to say in respect of this motion that the cost shown under this head is unnecessary and in disregard of the recommendations of the Retrenchment Committee. There is no end to the arbitrary measures taken by Government. They never hesitate to trample down the findings of the Retrenchment Committee by providing money in the Budget for unnecessary expenditure and they do not stop there. The Public Accounts Committee is constituted to furnish expert criticisms on the accounts. We do not know however, that it has met once during the whole year. Why has it not met? Has it been ascertained whether the money earmarked for the purpose has been really spent? Have the Police or the Public Accounts Inspecting Committee held an inquiry into it? But this is crying in the wilderness. I shall resume my seat without enlarging more on this topic, with the hope that some other members will draw the attention of the authorities by dealing with the substance of what has been said and other urgent matters in English.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I support the motion.

**Maulvi ZANNOOR AHMED:** I move that the demand of Rs. 83,000 under the head "26A. Presidency Police Police Training School" be reduced by Rs. 5,000.

The Retrenchment Committee after considering all the departments recommended the abolition of the Police Training School. But how have these recommendations been treated? Well, with the utmost contempt and almost wholesale rejection. There is already one Police Training College at Sardah for the Bengal Police. What is the use of having a separate school for the Calcutta Police? I therefore propose that the provision for the Police Training School should, in view of the recommendations of the Retrenchment Committee, be immediately reduced by Rs. 5,000. I find no reason for the retention of the post of the Assistant Commissioner. He may be replaced by a senior Inspector. With these words I beg to move for a reduction of Rs. 5,000.

**Babu JOGENDRA NATH MITRA:** As to the charge for the Police Training School, its avowed object is to provide training for Assistant Superintendents of Police, Deputy Superintendents, Sub-Inspectors, Assistant Sub-Inspectors and constables. The full course for the last two ranks is six months and for the others eighteen months. It is alleged that this College is intended to impart instruction in

law and police procedure and provide for promotion of physical culture and disciplinary training, and to European officers instruction in the vernacular. The benefit of the training is questionable. For instruction in law and procedure no such College is necessary. Disciplinary training can easily be obtained under the guidance of the superior officers by their example and character after entering the service. There is ample scope for physical culture without any training from the College. Suitable arrangement may be made in the police barracks for the purpose. For European officers it provides for knowledge in the vernacular. The European officers of the Indian Civil Service are required to acquire knowledge in the vernacular after they are recruited, but for this purpose there is no separate College for them, and without any help of College education they are able to acquire the necessary knowledge. So I fail to understand the utility of such an institution at such an enormous cost.

Even the Retrenchment Committee's recommendation for closing of the College except for the training of the constables has not been accepted. From the last 40 years' personal experience I can assure the House that no appreciable change has been found in the character and conduct of the police after their training in the Sardah College or School. The same overbearing attitude, the same corruption, the same disregard——

**Mr. PRESIDENT:** Order, order! I cannot allow the word "corruption" to be used. You must withdraw that word.

**Babu JOGENDRA NATH MITRA:** I withdraw the word. The same disregard for the feelings of others prevails among the police as before. On reference to the evidence given before the Retrenchment Committee you will find that a large number of witnesses examined before the Retrenchment Committee have supported this view. So, for the reasons stated above, I support the motion for the total refusal of expenditure under the head "26A.—Police Training School."

**Mr. A. C. BANERJEE:** I have very great pleasure in supporting the amendment moved by my friends here for a cut in the Police Training School. Now, first of all, I find that in the budget estimate provision is made for two items: one says "Other allowances Rs. 3,312" and another "Other charges Rs. 4,500." I do not know what difference there is between "other allowances" and "other charges"; secondly, we are not told what these charges are. In preparing a budget, I take it that these matters are ordinarily explained in a normally constituted Council or a normally constituted Government, but they are not explained here. We know also that the Public Accounts Committee have no doubt the right to go into these matters, and carefully find out as to whether these items are there to enable the

department to waste the money just as they like or that they are really spent in connection with matters which require such expenditure. The Public Accounts Committee, of which the election of members for next year has taken place this afternoon, was appointed last year, but they have never held a single sitting, whether it was with a view to prevent any scrutiny into reckless expenditure of public money, or not, I do not know, but no meeting was called last year. But nevertheless the fact is there that the Public Accounts Committee was appointed and ballot for election of its members was taken and they had not even a single sitting during the whole year, and I think there can be nothing more shameful than to have the Public Accounts Committee appointed year after year. We have never taken such a Committee seriously. This Committee is appointed to give the public the idea that the Committee will look into public accounts, but in fact nothing has been done; so these two items do require explanation.

Secondly, as regards the Police Training School for which we are asked to vote large sums of money, I should like to say one or two words. My friends over there have referred to there being no improvement in the police as a result of the training received. I fully endorse this view. I say that not only has there been no improvement, but there has been a steady degeneracy so far as the police is concerned. I do not use the word " corruption " in connection with the police, as that word is not permitted. I refer to the " purity " of the police, and I say the " purity " of the police has not improved.

**Mr. S. N. HALDAR:** I would like to draw the attention of Sir Hugh Stephenson to the report of the Bengal Retrenchment Committee which was signed by Sir Rajendra Nath Mukharji, Sir Campbell Rhodes, Mr. Surendra Nath Mallik, Rai Bahadur Abinash Chandra Banerjee and Mr. Spry. I will just read paragraph 185 on page 61 of this report to show what the Committee thinks about this question. The report says:

> We consider that in the present state of provincial finances, the training college should be abolished. Constables can receive their training at Sardah which we proposed should be retained in part

That is the recommendation made by this Committee. I want to know, if these different Committees are appointed for looking into the finances of Government, does the Government desire to give effect to their recommendations? If not, why waste public money and time——

**Mr. PRESIDENT:** This has nothing to do with the Sardah Training School. When we come to the amendment regarding that College, you can enlarge upon that. The motion before the House is with regard to " Presidency Police—Police Training School."

**Mr. S. N. HALDAR:** Very well, on that ground, I request the members of this House not to vote this demand.

**The Hon'ble Sir HUGH STEPHENSON:** In the first place I would point out that this is not a new demand. It has been separated from other heads this year and there is no new expenditure involved. This demand has been attacked mainly on the ground of the Retrenchment Committee's recommendation that the work should be done at Sardah. I would have the House know that the Retrenchment Committee admitted that there was work to be done; they approved of the principle of training constables and they did not propose to stop the training of constables. The Retrenchment Committee say that in view of the present financial stringency, the work can be done at Sardah. Along with all the other recommendations of the Retrenchment Committee this recommendation was thoroughly gone into by Government and the Commissioner of Police. (A voice: In the usual way.) We found that there was no saving; on the contrary, we found that it would be more expensive to move the Calcutta constables to Sardah and back. The Sardah Training College is full——

**Mr. S. N. HALDAR:** On a point of order. Is my friend right in referring to the Sardah Training School? You stopped me while I was referring to that.

**Mr. PRESIDENT:** I did because we are not on that now.

**Mr. S. N. HALDAR:** No. I was suggesting that this Training College should be done away with and the work could be done at Sardah. I was not discussing the work of the Sardah Training School.

**Mr. PRESIDENT:** The argument you were developing from the Retrenchment Committee's report was that the Sardah Training College should be abolished.

**Mr. S. N. HALDAR:** No, Sir, I was simply referring to a portion of the Retrenchment Committee's report in which they recommended that the College should be abolished and the constables could receive their training at Sardah, when you stopped me.

**Mr. PRESIDENT:** The Retrenchment Committee did not propose that training of constables should be abolished.

**Mr. S. N. HALDAR:** Anyhow, it suggested that it should be practically abolished when constables were going to be sent to Sardah.

**Mr. PRESIDENT:** But this motion has nothing to do with the Sardah College.

**The Hon'ble Sir HUGH STEPHENSON:** If we had accepted the Retrenchment Committee's recommendation, and used the Sardah Training College for the training of constables from Calcutta, we would have had to build new barracks at Sardah; this would have been very expensive. Next, a constable's training lasts for six months; we would have to undergo expenditure in sending the constables from Calcutta to Sardah and bringing them back in batches every six months, and this would add considerably to our travelling allowance bill. We could save nothing on our training staff, because we would have to employ them at Sardah. Therefore, we found, on looking into this, that if the training of Calcutta constables is to continue—and the Retrenchment Committee never proposed that it should stop—that it would be, if not more expensive, at least as expensive, and in fact more difficult to train them at Sardah. Apart from that, the whole training of Calcutta constables is different from the training of mufassal constables. The Calcutta law and procedure is different. Therefore, there is no advantage in removing this training college elsewhere and that being so, the Retrenchment Committee itself would not have recommended its abolition. Therefore, the arguments against this demand on the basis of the Retrenchment Committee's report fall to the ground.

Then, Sir, Mr. A. C. Banerjee asked the House to reduce the amount, because the sum of Rs. 3,312 under "Other allowances" and the sum of Rs. 4,500 under "Other charges" have not been specified. Mr. Banerjee has long acquaintance with the Calcutta Corporation, and I have no doubt knows what the meaning of "contingencies" is——

**Mr. A. C. BANERJEE:** I think they are always for waste.

**Mr. PRESIDENT:** Order, order! That does not arise, Mr. Banerjee.

**The Hon'ble Sir HUGH STEPHENSON:** The sum of Rs. 4,500 was provided under the head "Contingencies." The head "Contingencies" is divided into two sub-heads. One is "Rates and taxes" and the other "Other charges." As regards "Other allowances," if Mr. Banerjee really desires to know how these other allowances are spent, and if he will come to my office, I shall get the Commissioner of Police to explain these allowances to him.

The real ground, I take it, for Mr. Banerjee's request that this demand be diminished, is that the Public Accounts Committee has not been summoned. Well, Sir, I have nothing to do with the Public Accounts Committee, nor has the Calcutta Police. I do not think the House should be asked to throw out a Calcutta Police demand on the ground that the Public Accounts Committee had not met.

One other member has spoken and has given his opinion that there has been no appreciable change in the police during the last 40 years. Well, Sir, I hardly think that there is any other member of the

House whose memory would go back 40 years, who would bear him out in that opinion.

The motion of Shah Syed Emdadul Haq was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahmed, Maulvi Najmuddin.
Ahmed, Maulvi Zannoor.
Bagchi, Babu Remes Chandra.
Baksh, Maulvi Kader.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Bose, Babu Sejoy Krishna.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Rob
Chaudhuri, Rai Harendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohon.
Datta, Babu Akhil Chandra.
Dey, Babu Doroda Prosad.
Gafur, Maulvi Abdul.
Haidar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Joardar, Maulvi Aftab Hassain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasehid.
Khan, Maulvi Mahi Uddin.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Hem Chandra.
Neogi, Babu Manmahan.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Serker, Babu Naliniranjan.
Sen, Mr. N. C.
Suhrawardy, Dr. A.
Tarafdar, Maulvi Rajib Uddin.

NOES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Aley, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Ali, Mr. Atta!.
Band, Mr. R. N.
Barma, Rai Sahib Panahanan.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Best, the Hon'ble S. J.
Birley, Mr. L.
Campbell, Mr. K.
Cohen, Mr. D. J.
Corcoran, Mr. B. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Dess, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Eddis, Mr. S. E. O.
Goode, Mr. S. W.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. G.
Nandy, Maharaj Kumar Sris Chandra.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray, Mr. Tarit Bhusan.
Ray, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Maulvi Allah Bukheh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 47 and the Noes 56, the motion was lost.

The motion of Maulvi Zannoor Ahmed was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I formally move that the demand of Rs. 56,476 under the head "26A.—Hospital Charges" be refused.

I am not a doctor, Sir, and therefore I am afraid I shall not be able to criticise the hospital affairs. That is why I have formally moved my motion. I hope that my doctor friends who know more about these things than myself will be able to deal with it. I leave the matter in the hands of experts to do the needful.

**Dr. KUMUD SANKAR RAY:** In supporting the motion which has been moved by my friend Maulvi Md. Nurul Huq Chaudhury, I am at a great disadvantage because I looked in vain through the pages of the Bible—I mean the Retrenchment Committee's report—and I found no reference to this matter in it. I really do not understand why there should be a separate special hospital for police officers. Special hospitals for police officers are not in existence in any other country. During my stay in England for seven years I never came across a special hospital for police officers; if you begin with a special hospital for one department, where would you stop? Why not have a separate hospital for officers of the Education Department and officers of the Agriculture Department and of the other departments under Government control? I do not see any point for having a special hospital only for police officers. There are also other reasons why there should not be a special hospital for police officers from the police point of view. For instance—

**The Hon'ble Sir HUGH STEPHENSON:** May I ask where in the budget does the hon'ble member find the expression "special hospital for police officers"? Where does he get that from?

**Dr. KUMUD SANKAR RAY:** At page 91 of the Civil Estimate.

**The Hon'ble Sir HUGH STEPHENSON:** I cannot find it.

**Mr. A. C. BANERJEE:** Please look at page 95.

**Dr. KUMUD SANKAR RAY:** As the item is there, there must be a hospital somewhere.

**The Hon'ble Sir HUGH STEPHENSON:** I only want to know wherein the special hospital for police officers is put down. I thought the mover was quoting from somewhere.

**Dr. KUMUD SANKAR RAY:** I was referring to the hospital for police officers at Alipore.

**The Hon'ble Sir HUGH STEPHENSON:** I do not know wherein we put down the item of a special hospital for police officers.

**Mr. PRESIDENT:** You can go on, Dr. Ray.

**Dr. KUMUD SANKAR RAY:** In this hospital, which is usually in charge of the Police Surgeon, the officers have to be treated by the officer in charge of this hospital. You will agree with me, Sir, that in these days of modern advance in medical science any single man is not competent to deal with the different kinds of diseases even among the I.M.S. officers. For instance, cases of eye disease are highly specialised subjects and they can only be dealt with by people with special training in this subject. I think cases like that which require special treatment should be sent to the General Hospital. I do not see why a police officer or, for the matter of that, any officer should not go to general hospitals, which are run on public funds; in that case there should be no need for hospital charges for the police or any other department for which Government may chose to provide funds later on. With these few remarks I support the motion.

**Mr. A. C. BANERJEE:** There is one thing to which my friend Dr. Kumud Sankar Ray has not referred. At page 95 of the Budget Estimate there is a heading "Presidency Police"; under that these charges are enumerated. That being so, it is quite clear that this sum is wanted as hospital charges, which are referred to in that page. I take it, therefore, that these hospital charges are meant for hospitals where policemen are to be treated. If that be so, then I think it is rather curious that we should have separate hospitals for policemen. Why should there be a separate hospital? Is there any apprehension in a policeman going to any general hospital?

**Mr. PRESIDENT:** You are simply repeating what Dr. Kumud Sankar Ray has said. I cannot allow that.

**Mr. A. C. BANERJEE:** I have not so good a memory as to be able to repeat what has been said by Dr. Ray.

**Mr. PRESIDENT:** You are doing what I asked you not to do.

**Mr. A. C. BANERJEE:** Even so, repetition lends force to an agreement, Sir.

**Mr. PRESIDENT:** I ask you not to repeat what Dr. Ray has said.

**Mr. A. C. BANERJEE:** I do not know whether it is a repetition or not. I want to know whether there is any apprehension on the part of the authorities that policemen, by being sent to the public hospitals, are likely in any way to suffer in their morals by coming in contact with the general public. Is that the idea? Otherwise, why should policemen have separate hospitals in this country and not in any other country in the world?

**Dr. BIDHAN CHANDRA ROY:** May I draw the attention of the Hon'ble Member to page 39 of the Blue Book wherein are mentioned the charges for police hospitals? These hospital charges really refer to police hospitals. They mean that the hospitals are meant for the police.

**The Hon'ble Sir HUGH STEPHENSON:** I find, Sir, that my innocent interruption has apparently been interpreted to mean that I am trying to conceal the existence of a police hospital. My point is this: the mover repeated over and over again the phrase "special hospital for police officers," and he went on to say that he did not see why there should not be a hospital for educational officers if we are to have a hospital for the gazetted officers of the Police Department. I wish to make it quite clear that this hospital is not a hospital for the gazetted police officers in Calcutta; but it is a hospital for the ordinary police force in Calcutta. The mover—or rather the gentleman who spoke in support of the motion—and incidentally, Sir, I may say that I have seldom come across a more shameless avowal than that of the mover when he admitted that although he had put down the motion, he knew nothing whatever about it and had put it down in the hope that some body else would talk about it.

Well, Sir, turning now to the speech of the member who supported the motion, I find he says that nowhere in the world is there such a thing as a police hospital. Here, I join issue with him. It is quite a common thing with any large employer of labour to provide a hospital for his labour, and that is what Government have done for the police force in Calcutta. If we had no hospital for the police in Calcutta, we would have been attacked on two grounds: first, that we took no care of the police force and, secondly, that we had no consideration for the general public of Calcutta, as we were crowding our hospitals by our policemen to the detriment of the interests of the general population.

**Dr. KUMUD SANKAR RAY:** Why not increase the number of beds in the General Hospital?

**The Hon'ble Sir HUGH STEPHENSON:** Instead of increasing the number of beds in the General Hospital and reserving them for the police, we might as well have a police hospital. As I was saying, Sir, my point is that it is absolutely the ordinary duty of any large employer of labour to provide for the medical attendance of its labour. We have a police force of 5,000 in Calcutta: it is the duty of Government to provide for the medical attendance on its police force, and we have done so.

**Mr. A. C. BANERJEE:** Is that done in London?

**Mr. PRESIDENT:** Mr. Banerjee, please do not interrupt the Hon'ble Member. Let him finish his remarks.

**The Hon'ble Sir HUGH STEPHENSON:** I therefore ask the Council to reject this motion.

**Mr. A. C. BANERJEE:** May I say a few words, Sir?

**Mr. PRESIDENT:** No, Mr. Banerjee. All the time that the Hon'ble Sir Hugh Stephenson was speaking, he was being constantly interrupted, amongst others, by you yourself.

**Maulvi MD. NURUL HUQ CHAUDHURY:** May I rise on a point of personal explanation? The Hon'ble Sir Hugh Stephenson has said that there is nothing more shameless than to put down a motion on the agenda and not to say anything about it. Although I might have put this motion on the agenda, I did not say anything about it as I do not claim to be an expert and I left it to the expert to do it. But if I wanted to say anything in favour of my motion, I could have very easily done it, although I might not be a doctor.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

**Maulvi ASIMUDDIN AHAMAD** formally moved that the demand of Rs. 31,65,000 under the head "26A.—Presidency Police" be refused.

**SHAH SYED EMDADUL HAQ** spoke in Bengali in support of this motion.

**Mr. PRESIDENT:** The Council must understand that this demand put down on the paper, viz., Rs. 31,65,000, has already been reduced by the sum of Rs. 3,30,000; therefore the amount is really Rs. 28,35,000.

The following motions were called but not moved:—

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 31,65,000 under the head '26A.—Presidency Police' (page 90, Civil Estimate) be reduced by Rs. 10,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 31,65,000 under the head '26A.—Presidency Police' (page 90, Civil Estimate) be reduced by Rs. 3,95,008."

**The Hon'ble Sir HUGH STEPHENSON:** I ask the Council to reject this motion.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

The following motions failed as they were covered by the decisions of the Council reducing the amount by Rs. 3,30,000.

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 31,65,000 under the head '26A.—Police—Presidency Police' (page 90, Civil Estimate) be reduced by Rs. 2,76,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 31,65,000 under the head '26A.—Presidency Police' (page 90, Civil Estimate) be reduced by Rs. 1,56,000."

**SHAH SYED EMDADUL HAQ** formally moved that the demand of Rs. 2,865 under the head "26B.—Superintendence—Pay of Temporary Establishment" be reduced by Rs. 2,000.

**The Hon'ble Sir HUGH STEPHENSON:** The establishment is the ordinary establishment except for one new leave reserve clerk. The reason for the increase is that in this year we are budgeting for the full cost of the temporary establishment we used to entertain in previous years and the cost of which we used to meet later on in the year by reappropriation.

The motion was then put and lost.

**Maulvi MD. NURUL HUQ CHAUDHURY:** I move that the demand of Rs. 1,64,000 under the head "26B.—Superintendence" (page 95, Civil Estimate) be refused.

This sum is composed of the payments that are to be made to the Inspector-General, the Deputy Inspectors-General, other gazetted officers, Registrar, clerks, servants, steam-launch establishment, temporary establishment, travelling allowance, hill allowance, house rent, exchange compensation, and all other miscellaneous charges, such as rents, rates and taxes. Sir, in Bengal we have got one Inspector-General of Police and six Deputy Inspectors-General. The Inspector-General has two Personal Assistants of gazetted rank. The Retrenchment Committee recommended that probable savings could be effected under the head of "Superintendence" and that some of the Deputy Inspectors-General might be abolished, their work being divided among the remaining different Deputy Inspectors-General. I find, Sir, that the amount provided for travelling allowance for these superior officers is Rs. 15,000. Last year the same amount was provided, but we did not have any indication as to what was the revised estimate; but in the year before, *i.e.*, 1923-24, the actuals were Rs. 14,287. We find that although economy could be practised in every possible way by other departments, we do not see why the Police Department should not be asked to economise and to retrench their expenditure in regard to the particular officers who do the superintendence of the whole district force. I submit, Sir, that in many directions economy could be effected in the expenditure of this department.

**Rai HARENDRANATH CHAUDHURI:** In the absence of Maulvi Asimuddin Ahamad and with the permission of the Hon'ble the President, I move that the demand of Rs. 1,64,000 under the head "26B.—Superintendence" (page 95, Civil Estimate) be reduced by Rs. 82,000.

Of all the provinces in India, Bengal has the most top-heavy police, as the cost is higher than that in the other provinces. It will be seen at once by comparing the budgets of the different provinces for 1925-26 that under the particular head "26B.—Superintendence," all the other major provinces, namely, the United Provinces budget Rs. 2,25,000, Madras Rs. 2,88,000, Bombay Rs. 2,05,000, while Bengal budgets Rs. 3,72,000.

**Mr. PRESIDENT:** I do not see how this comes in. We are discussing the demand for Rs. 1,64,000.

**Rai HARENDRANATH CHAUDHURY:** That is the "voted" portion of the demand. It will therefore be seen that Bengal spends the largest amount for superintendence. It will also be seen, on a reference to the Civil Budget Estimate, that in Bengal, apart from two gazetted officers, one on Rs. 1,400 and another on Rs. 1,200, we have one Inspector-General and six Deputy Inspectors-General in spite of the fact that the police force in Bengal—I mean the constable clan and men of lower rank, who have got to be supervised—is smaller than that in the two major provinces—I mean Madras and Bombay. Thus, we see that in spite of the fact that we have less supervision to do, we budget a larger sum than that of any other major province. Unless and until the Hon'ble Member in charge explains why such is the case, I think we should go in for a substantial reduction in the cost of superintendence.

The following motion was called but not moved:—

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 1,64,000 under the head '26B.—Superintendence' (page 95, Civil Estimate) be reduced by Rs. 72,000."

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,64,000 under the head "26B.—Superintendence" (page 95, Civil Estimate) be reduced by Rs. 30,000.

The following motions were called but not moved:—

**Maulvi ZANNDOR AHMED:** "That the demand of Rs. 1,64,000 under the head '26B.—Superintendence' (page 95, Civil Estimate) be reduced by Rs. 5,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 1,64,000 under the head '26B—Police Superintendence' (page 95, Civil Estimate) be reduced by Re. 1."

**The Hon'ble Sir HUGH STEPHENSON:** I must say that I am not a little surprised at these constant attacks on the cost of superintendence coming especially from members who contend that the police force in Bengal is so corrupt that it requires constant supervision.

Rai Harendranath Chaudhuri has based his argument partly on the recommendation of the Retrenchment Committee and partly on a comparison of the budgets. As regards the comparison of the budgets, there are a number of other things to be compared too—the population, the nature of the population, the division of the country, the accessibility of it, and so forth.

As regards the Retrenchment Committee's proposal, Government went into it at the time and came to the conclusion that they could not reduce the number of Deputy Inspectors-General. We tried every possible combination so as to keep the number down, but we found that there was no reduction possible which left the Deputy Inspectors-General with any possibility of doing the work. It is often said that a few years ago there were only two Deputy Inspectors-General, therefore it must be gross extravagance if we have five now. If any member really wishes to study the reason why we have five now, I should be glad to take him through facts and figures and explain to him the whole scheme of police work. The scheme has been altered during the last 15 years. The Deputy Inspector-General in the old days was merely a post office, hardly even a post office; he was merely a man deputed by the Inspector-General to go into particular work, to go and inspect a particular district, or go and supervise a particular thing. Nowadays, the Deputy Inspector-General is responsible for everything within his range. He is responsible for the crime, he is responsible for the force, he does all the transfers, he is largely responsible for the promotions, and the whole of the work he does now is the work which used either not to be done at all, or to be scamped in the old days. Therefore, the work of the five Deputy Inspectors-General fully occupies their time and Government have deliberately come to the conclusion that they cannot reduce the number, if they wish this work done. If we try to double up two ranges into one, it simply means that the Deputy Inspector-General is not able to cope with the work, because he has no time. For these reasons I would ask the House to reject the motion.

The motion of Maulvi Md. Nurul Huq Chaudhury was then put and lost.

The motion that the demand of Rs. 1,64,000 under the head "26B.—Superintendence" be reduced by Rs. 82,000 was then put and a division taken with the following result:

**AYES.**

| | |
|---|---|
| Ahamad, Maulvi Asimuddin. | Sagchi, Babu Romes Chandra. |
| Ahmed, Maulvi Najmuddin. | Saksh, Maulvi Kader. |
| Ahmed, Maulvi Zanneer. | Samerjea, Dr. Pramathanath. |

Banerjee, Babu Satya Kishore.
Banerjee, Mr. A. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Mr. Byomkes.
Chakraverty, Babu Sudarsan.
Chaudhuri, Maulvi Saiyed Abdur Rob.
Chaudhuri, Rai Narendranath.
Chaudhury, Maulvi Md. Nurul Huq.
Chunder, Mr. Nirmal Chandra.
Das, Dr. Mohini Mohan.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dey, Babu Boroda Prosad.
Gafur, Maulvi Abdul.
Ganguly, Babu Khagendra Nath.
Haldar, Mr. S. N.
Haq, Shah Syed Emdadul.
Hoque, Maulvi Sayedul.
Hossain, Maulvi Wahed.
Jeardar, Maulvi Aftab Hossain.
Khan, Babu Debendra Lal.
Khan, Maulvi Abdur Rasohid.
Khan, Maulvi Mahi Uddin.
Mitra, Babu Jogendra Nath.
Mukerjea, Babu Taraknath.
Nasker, Babu Nem Chandra.
Neogi, Babu Manmohan.
Quader, Maulvi Abdul.
Raikat, Mr. Prasanna Deb.
Ray, Babu Abanish Chandra.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Manmatha Nath.
Roy, Babu Satcowripati.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarkar, Babu Hemanta Kumar.
Sarker, Babu Nalinranjan.
Sen, Mr. N. C.
Suhrawardy, Dr. A.
Turafdar, Maulvi Rajib Uddin.

NOES.

Addams-Williams, Mr. C.
Addy, Babu Amulya Dhone.
Ahmed, Maulvi Tayebuddin.
Alay, Khan Bahadur S. Mahboob.
Ali, Maulvi Sayyed Sultan.
Sand, Mr. R. N.
Sarma, Rai Sahib Panchanan.
Sarton, Mr. H.
Basu, Babu Jatindra Nath.
Beg, Khan Bahadur Mirza Shujaat Ali.
Best, the Hon'ble S. J.
Birley, Mr L.
Browne, Mr. P. H.
Campbell, Mr. K.
Chaudhuri, Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Corcoran, Mr. S. J.
Das, Babu Charu Chandra.
Daud, Mr. M.
De, Mr. K. C.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. C. S.
Faroqui, Khan Bahadur K. G. M.
Geenka, Rai Bahadur Badridas.
Goode, Mr. S. W.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haq, Khan Bahadur Kazi Zahirul.
Hopkyns, Mr. W. S.
Hossain, Khan Bahadur Maulvi Musharruf.
Huq, Maulvi A. K. Fazl-ul.
Huq, Maulvi Ekramul.
James, Mr. F. E.
Jennaway, Mr. J. H.
Lal Mahammed, Haji.
Law, Raja Reshee Case.
Liddell, Mr. H. C.
Masih, Mr. Syed M.
Mitter, Sir Provash Chunder.
Moreno, Dr. H. W. B.
Morgan, Mr. C.
Nandy, Maharaj Kumar Srie Chandra.
Oaten, Mr. E. F.
Parrott, Mr. P.
Phelps, Mr. T. J.
Rahim, the Hon'ble Sir Abd-ur-.
Rahman, Mr. A. F.
Ray, Kshaunish Chandra, the Hon'ble Maharaja Bahadur of Nadia.
Ray Chaudhuri, Mr. K. G.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdue
Sarkar, Maulvi Allah Bakhsh.
Skinner, Mr. S. A.
Stephenson, the Hon'ble Sir Hugh.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Villiers, Mr. E.
Wilson, Lt.-Col. R. P.
Woodhead, Mr. J. A.

The Ayes being 49 and the Noes 62, the motion was lost.

[At this stage the Council was adjourned for 10 minutes.]

[After the adjournment.]

The motion of Shah Syed Emdadul Haq was put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 1,77,000 under the head "26C.—District Police—Pay of Officers —Superintendents" be reduced by Rs. 20,000.

The following motion was called but not moved:—

**Maulvi ZAHOOR AHMED:** "That the demand of Rs. 1,77,000 under the head '26C.—District Executive Force—District Police—Pay of Superintendents' be reduced by Rs. 10,000."

**The Hon'ble Sir HUGH STEPHENSON:** I presume that the object of the Shah's motion is to get back to the budget estimate of last year. If the House would see the actuals of the year before, they were Rs. 1,67,000. The amount provided is the amount that would be required for the pay of the present executive force in the District Police. We cannot do with a smaller amount, and I would ask the House to refuse this reduction.

The motion of Shah Syed Emdadul Haq was then put and lost.

**SHAH SYED EMDADUL HAQ** moved that the demand of Rs. 9,000 under the head "26C.—District Police—Pay of Officers—Assistant Superintendents" (page 90, Civil Estimate) be refused.

He spoke in Bengali. The English translation of his speech is as follows:—

Motions No. 708 and 709 relate to the salaries of the higher district police officials, while motion No. 707 relates to grant of Rs. 9,000 only. Out of the total cost of Rs. 2,09,000, only Rs. 9,000 have been placed on the voted list while the rest has been placed in the non-voted list. Really speaking Government have been well-advised to have placed this sum required for the salaries of young Assistant Superintendents on the non-voted list. Since Government are perfectly within their rights to provide for all expenses, this step has got rid for us of all share of blame of granting demands like this when presented before us. From an examination of page 96 of the Budget, it will appear that Rs. 7,99,000 have been estimated for the salaries of 111 higher officers of which 38 are police Superintendents, 52 Assistant Superintendents and 25 Deputy Superintendents. There are nearly 4 such higher officers for each district. There was, however, a time when there was no Superintendent and subsequently there was only one Superintendent for each district and we have now four in that place. The post of Deputy Superintendent was created in 1903 but how many officers have been appointed to that post, according to the advice of the Retrenchment Committee?

The Assistant Superintendents are in fact, Europeans of youthful age. It is because India is a subject country that such young officers are appointed to act as superiors over experienced, well-known Indian officers.

There are many among the members who think, as soon as there is any motion for the refusal of the entire demand, that it has sprung from the obstructionist policy and become hostile to it. There is

nothing to raise such a suspicion in the present instance. Out of Rs. 2,09,000, Rs. 2,00,000 have been already made non-votable. The rejection of the remaining Rs. 9,000 will not therefore affect much.

It may be urged against my motion that it will block the path of employment of many of our countrymen and there will be waverers on that ground and it is undoubted that Government will make capital of the same ground. We should then bear in mind that there are millions of men in our country who meet with premature death for want of food and cloth and from disease and grief. Would it not be better if we can save this money and spend it for the health and benefit of these people?

It appears to-day in view of the difference of opinion prevailing in the House that it will be useless to call for a division. All the same I must speak out as a people's representative, particularly as the motion relates to the salaries of the higher police officials. If I hold my tongue on this occasion it will be thought that I do so from fear of incurring the displeasure of those high officials. I have constantly spoken on this subject and given notice of motions on it and have, thereby, incurred the displeasure of those gentlemen. Recently my daughter applied for license for a gun and though the subordinate police officer was hostile to me, he was compelled to recommend it, being unable to make out any case against the grant of license. In spite of it the Police Superintendent wrote down on the application that he had objection and the application was rejected on the strength of this remark. Government will be ready with a reply if interpellated on this subject and as I find from a similar interpellation and the reply to it in connection with another gentleman, any excuse will be sufficient. It will not be really wrong to think that the police Superintendent used his pen in a manner adverse to me out of a feeling of anger with me in consequence of the success of many of my motions on the police cost in the last year. There is reason to fear that such things are quite likely to happen in the future. Nevertheless, I move this motion from a sense of duty and before resuming my seat, beg to remind hon'ble members that as we were not afraid to vote against Government when we wanted to do away with the Ministers, we should not be afraid to vote against the police. If we are afraid to vote against the police there will be reason to suppose that those among us who voted against the Ministers were actuated by motives of greed, and of jealousy, but have fallen back in the present instance either for fear of Government's displeasure or at their request or tempted by hopes held out by them. They should remember that they will have to face the consequences of taking such a step when they will again present themselves for election.

**Babu BORODA PROSAD DEY:** This grant looks an innocent one, involving only Rs. 9,000 as the proposed cut. But if we are to

look to the budget estimate we find that there is a very heavy amount of Rs. 2,00,000 at the background which, by some strange procedure prevalent under the India Government Act or under the rules framed thereunder, has been described as non-voted. I do not like to argue the point as to how in a particular department some expenditure becomes voted and some becomes non-voted. If we look to the position of these Assistant Superintendents, we can very well understand that they are perfectly an unnecessary body in the system of police administration in this country. I really do not understand how to describe them and their position in service. I do not know how the expression has arisen, the "Indian Civil Service" has been described as the "heaven-born service". If that be the correct description of that service, this service may be described as the "mid-air-born service". It does not appertain to earth nor to heaven. It is neither heaven nor earth. These Assistant Superintendents are generally very young and, as I understand, failed graduates of the British Universities.

**Mr. PRESIDENT:** Boroda Babu, I do not mind your charging them with being very young, because that is a complaint we have all suffered from, but with regard to the other charge, I do not see that you have any ground to bring it. It is very offensive.

**Babu BORODA PROSAD DEY:** If that is objected to, I do not press for it. But if an inquiry be made, I think this charge will be found to be true. However, I do not press that. They are sent out to this country for the Police Service and they are placed here over the Indian police, that is, Inspectors who have given about 20 or 25 years of service in the police line who have grown grey in the matter of detection and of investigation of cases—who have merited encomiums from the higher officers and who have shown themselves quite fit to have charges I mean independent charges of subdivisions and even of districts. And these young people are placed over such Indian officers. We find that they are empowered by their position to look into the working of the Indian officers when they are engaged in investigating cases, and we have known of cases where satisfactory results that were going to be achieved by the Indian officers in the matter of investigations have been negatived by the superior intelligence and wiser guidance in the investigation of cases by these superior officers I mean superior in rank, though not in the knowledge of police administration. So there is absolutely no reason why this worse than useless service should be maintained at an enormous cost of the taxpayers of this country. So, Sir, this service should be abolished once for all. The Deputy Superintendents were brought into existence in order to replace these Assistant Superintendents of Police in time, but nothing of the kind has been done as yet. So I think it is high time that this system of having Assistant Superintendents be dispensed with; and if any difficulty arises as to how

Superintendents should be appointed, I think they can very well be recruited from experienced Inspectors with occasional recruitment of good and satisfactory persons from outside. With these words I support the motion.

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** In support of this motion I should like to draw attention to the report of the Police Commission of 1903.

**Mr. PRESIDENT:** We are not discussing Deputy Superintendents but Assistant Superintendents.

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** I thought that three motions have been moved by Shah Syed Emdadul Haq.

**Mr. PRESIDENT:** No. The Shah Sahib spoke on his three motions but he moved only No. 707. So when we come to the Deputy Superintendents you can make your speech.

**The Hon'ble Sir HUGH STEPHENSON:** The proposal is to refuse the grant of Rs 9,000. The immediate and the only result of refusing that grant would be to refuse the pay of the Assistant Superintendent who has recently been recruited at the examination at Allahabad. I am quite certain that the House do not want to do that. The reason that Babu Boroda Prosad Dey has put forward for supporting this motion is possibly the one the mover had in mind. I know that it is extremely difficult for a man who has not had experience to realize what intricacies there are in the cadre system. An Assistant Superintendent is in the chrysalis stage of the Superintendent of Police. Under the system of recruitment both for the Indian Civil Service and the Indian Police Service he starts young and is trained for about eight years in the work he has got to do. He is not recruited for the work he does in the first few years. That is work which would otherwise be done by Deputy Magistrates or by Deputy Superintendents. He does the work because he has got to learn during the period of his training. The whole object of his being there at all is to keep the services Indian Civil Service or the Imperial Police Service going. Both these services are recruited on the basis of the higher posts only, and every man who comes out in either of these services is kept for, as I said, generally about eight years in training in the lower appointments until he has learnt the work and then he receives higher appointments. I quite realize that Babu Boroda Prosad Dey does not like that system. At the end of his speech he said that he would much prefer that Superintendents should be recruited from Inspectors I think, and that there should be occasional outsiders brought in. As regards the bringing in of an occasional outsider for the post of Superintendent of Police, there is no other

way to train him up except the work of the police, and so to bring in an outsider as a Superintendent of Police would be quite useless. As regards the question of Inspectors, Babu Boroda Prosad Dey is no doubt aware that we do promote Inspectors first of all to be Deputy Superintendents and then to Superintendents of Police. There are at the present time about seven or eight of them—Superintendents of Police—who entered the service probably as Sub-Inspectors and have worked their way up to Superintendentships. They are the men who have grown grey in the service and for whom Babu Boroda Prosad Dey is so tender.

**Babu BORODA PROSAD DEY:** How many of them are there?

**The Hon'ble Sir HUGH STEPHENSON:** As I have mentioned just now, there are about seven or eight of them. I am not quite sure of the exact number.

Well, Sir, this promoted Inspector suffers from considerable disadvantages: he starts his work as Superintendent of Police when he is too old and his activity for work has considerably decreased and when he has been retained too long in the subordinate service. The question of direct appointment to a higher service or appointment by promotion from a lower service is one which is very very difficult to solve, and I have myself had great difficulty in making up my mind about it on several occasions with regard to several branches of the public service. My own inclinations are rather in favour of direct recruitment, but there are very many weighty reasons on the other side, and on occasions I have jumped down to the other side. But the point is that we cannot alter the present system of recruitment for the Imperial Police; that rests with the Secretary of State, and, therefore, the sole result, as I said when I started, of passing this cut will be to deprive one Indian, who is appointed in India, but who has not yet received confirmation of his appointment from the Secretary of State, of his pay. When he is so appointed, he will, like the others recruited in England, be exactly in the same position as they are, and under the terms of the Government of India Act will be in the all-India service and his pay will no longer appear in the budget as voted.

The motion of Shah Syed Emdadul Haq was then put and lost.

**SHAH SYED EMDADUL HAQ** formally moved the following:—

"That the demand of Rs. 1,50,000 under the head '26C.—District Police—Pay of Officers—Deputy Superintendents' (page 96, Civil Estimate) be refused."

"That the demand of Rs. 1,50,000 under the head '26C.—District Police—Pay of Officers—Deputy Superintendents' (page 96, Civil Estimate) be reduced by Rs. 10,000."

**Babu JOGENDRA NATH MITRA:** The post of Deputy Superintendents was created by the Police Commission of 1903. The number of Assistant Superintendents was limited by the needs of the cadre of the Imperial Police, and the posts of Deputy Superintendents was created to fill the balance of the post that the Commission considered required an officer of the Assistant Superintendent type. There was also a suggestion by the Commission that specially competent Deputy Superintendents might be promoted in time to district rank. These are all very fair on paper, but these posts are created to give leisure to the Superintendents, so that they may enjoy themselves in shooting and other excursions. The work of a Deputy Superintendent is not distinguishable from that of a senior Inspector, and there seems to be considerable overlapping between the work of these two classes of officers. I believe that selected Inspectors of approved service can perform satisfactorily all the duties of Deputy Superintendents and they may also be promoted in time to district rank. Now the work of supervision is distributed among so many officers of different grades at an enormous cost without any useful purpose. To effect a cut in the expenditure under the head "Police," the attention of the Government is diverted in a wrong direction, viz., the abolition of some police-stations with a view to give effect to the recommendation of the Retrenchment Committee, keeping the post of Deputy Superintendents intact, for the abolition of which post the Retrenchment Committee made recommendation. I am informed that the Government is inclined to abolish the police-stations of Chowgachha and Nowapara, in the district of Jessore, to the great inconvenience of the public and consequent loss of security. If the police-stations of Nowapara and Chowgachha are really abolished, the people residing in the ambit of these police-stations shall have in certain cases to travel a distance of 15 to 20 miles by road for police help. It will effect a real decline in the prevention and detection of crime. The people are paying large amounts of revenue, besides the chaukidari tax, which is also not a negligible sum, for security of life and property; but if the police-stations where the people are to resort for redress are indiscriminately abolished for the purpose of providing for unnecessary staff for superintendence, the fountain-head of actual redress will be destroyed.

**The Hon'ble Sir HUGH STEPHENSON:** I should very much like to know where the last speaker got the information that the grade of Deputy Superintendents of Police was created in order to give leisure to the Superintendents of Police for enjoyment. If the last speaker is so keen on the question of Deputy Superintendents of Police, I should have expected him to read up the subject from the start, and to read what the Police Commission said on the subject and why the grade of Deputy Superintendents of Police was started. It was started on

the direct recommendation of the Police Commission. The object was first of all to introduce an Indian element direct into a higher grade as they could not get into the Imperial Service in India at that time; secondly, to provide for the growing complexity of work. As I explained on the last motion, the Assistant Superintendents do not form a cadre of their own; their number must depend upon the cadre of Superintendents of Police. It is impossible either to increase or decrease the number of Assistant Superintendents of Police on account of the actual work to be done. The Police Commission found that there was as a matter of fact more work than could be done by the number of Assistant Superintendents at the time. They, therefore, added that as a reason for creating the grade of Deputy Superintendents. This is a point which the Retrenchment Committee entirely missed. They were also misled into the idea that the Assistant Superintendents were a grade of their own and that they could be increased or decreased merely on consideration of the amount of work that had to be done. I quite admit, Sir, that now that it is possible for an Indian to enter the Imperial Service by an examination in this country—I mean the annual examination which is held at Allahabad—there is not the same reason for providing for access to the higher grade of the Police through the cadre of Deputy Superintendents. Their direct entry into the Imperial Service has now been provided through that much-maligned door of Assistant Superintendents. But, Sir, the whole question of the existence in future of the Deputy Superintendents is in the air at the moment. We want to know before we decide—the question has been pending for the last 18 months—what to do with the Deputy Superintendents, what is the future of the Imperial Police and how it is eventually going to be recruited—whether we are to have recruitment by promotion or entirely by direct appointment. If it is to be recruitment by promotion, then we have to keep a provincial service of Deputy Superintendents which can be utilised for the purpose. If it is to be recruitment not by promotion but by direct appointment to the Imperial Police, then, Sir, the grade of Deputy Superintendents can be done away with, but at the same time you will have to provide something in order that the Inspectors may have something to look forward to. The grade of Deputy Superintendents at present forms a selection grade to which the Inspectors can look forward in the same way as Sub-Deputy Magistrates look forward to the posts of Deputy Magistrates. If you take away the posts of Deputy Superintendents from the Inspectors, you must give them some other appointments. But as things are at present, we are unable to come to any conclusion with regard to the future of the Deputy Superintendents of Police, but we have practically closed down recruitment for the last two years. But as long as we have got the men they must be paid.

The motions of Shah Syed Emdadul Haq were then put and lost.

**Maulvi ZANNOOR AHMED:** I move that the demand of Rs. 6,80,000 under the head "26C.—District Executive Force—Pay of Inspectors" (page 96, Civil Estimate) be reduced by Rs. 20,000.

It seems to me that the principle adopted in the Police Department is too much of superintendence and inspection and too little of actual work. The Retrenchment Committee recommended the abolition of 58 posts of Inspectors. This would bring in a net saving of more than a lakh of rupees. So the request which I make to the Council is a very modest one. I want a cut of Rs. 20,000 only out of the demand of Rs. 6,80,000.

**Sir PROVASH CHUNDER MITTER:** I have much pleasure in supporting this motion and the ground on which I do so is this. In the year 1924 the actuals were Rs. 5,61,634. Last year the revised estimate showed an expenditure of Rs. 6,59,000 and odd, and this year Rs. 6,80,000 is proposed for expenditure, which is Rs. 20,000 in excess of last year's figure. I believe the Retrenchment Committee recommended a reduction under this head, and I have therefore much pleasure in supporting the motion.

**Babu AMULYA DHONE ADDY:** I beg to support the motion on the additional ground that I find that in the estimate for the current year Rs. 5,61,000 has been shown under this head, whereas in the budget for this year it is proposed to increase it to Rs. 6,80,000, notwithstanding the fact that the number of Inspectors has not been increased.

**The Hon'ble Sir HUGH STEPHENSON:** The last speaker is not quite correct. The sum he mentions is not in the revised estimate but in the original estimate. But I cannot accept the motion on the grounds that Maulvi Zannoor Ahmed has put forward. The Inspectors do a very great deal of practical detective work. We went into the question of abolishing the Circle Inspectors and we found that the whole weight of opinion was dead against it.

Sir P. C. Mitter has pointed out that there is a large increase this year under this head over the estimate of last year. We provided the estimate for the next year on the basis of the actual cadre of Inspectors. But in order to show that I am not entirely unreasonable, I am prepared to accept the motion on the ground put forward by Sir P. C. Mitter.

The motion of Maulvi Zannoor Ahmed was put and agreed to

**Mr. A. C. BANERJEE:** I have been asked by my friend Babu Hemanta Kumar Sarkar to move this amendment on his behalf, which,

Sir, with your permission, I do. I move that the demand of Rs. 2,91,000 under the head "26C.—District Executive Force—Temporary District Intelligence Staff" be refused.

I take it that this temporary district intelligence staff refers to the detective department in the province such as we understand the expression popularly. This department, I am bound to say, is not liked by the people for whose benefit it is kept on. People do not want this department because they think that it is a useless department. It is a department the ostensible object of which is to detect crime, but we have found, in some cases at all events, that its activities are identified in manufacturing evidence more than in detecting crime.

**The Hon'ble Sir HUGH STEPHENSON:** Is that a proper form of expression—"manufacturing evidence"?

**Mr. PRESIDENT:** I cannot allow that, Mr. Banerjee.

**Mr. A. C. BANERJEE:** That is not exactly what I said. What I said is that in some cases at all events we know that its activities are more concerned with manufacturing evidence. I am going to refer to cases decided by the High Court.

**Mr. PRESIDENT:** You must withdraw the words "manufacturing evidence".

**Mr. A. C. BANERJEE:** What words? In some cases its activities are concerned with the manufacturing of evidence, and I say so because it has been held by the High Court——

**Mr. PRESIDENT:** I just told you to withdraw those words.

**Mr. A. C. BANERJEE:** I refuse to withdraw. (Cries of "sit down," "sit down," "obey the Chair.")

**Mr. PRESIDENT:** I ask you to sit down at once, please.

**Mr. A. C. BANERJEE:** I will not sit down; I would rather walk out of the House. I refuse to sit down. Before I go out I would say that more courteous treatment should be accorded to us.

[At this stage a number of Swarajist and Independent members walked out of the House.]

**Mr. PRESIDENT:** I want to make it perfectly clear that when an amendment is on the paper in the name of a particular member, no other member has a right to move it. That can only be done with the special permission of the Chair. I want to make it further clear that that special permission shall not be given as a general rule but only in exceptional cases.

**Babu AKHIL CHANDRA DATTA:** Are we to understand that in a matter like this we are not entitled to quote the observation of the High Court which is not a general one but is confined to some isolated instance? If we are supported by facts and figures, notably, by the decision of the High Court, is it the ruling of the Chair that we should not quote them?

**Mr. PRESIDENT:** If hon'ble members respect the authority of the Chair we will get on a great deal better. I ask you to obey the Chair, which will be much better for the dignity of the House.

**Babu BEJOY KRISHNA BOSE** (while the President was standing): On a point of order, Sir——

**Mr. PRESIDENT:** Are you going to permit me to reply to the point of order raised by Akhil Babu which I am trying to reply to? Do you wish to interrupt me or do you wish me to finish what I have to say? When I am in the middle of a reply to a point of order I must not be interrupted.

**Babu BEJOY KRISHNA BOSE:** Sir——

**Mr. PRESIDENT:** So long as the House cannot proceed in an orderly manner I cannot give any ruling. It is a most disorderly proceeding and I cannot countenance it.

[At this stage some more members on the left side of the House walked out.]

**Mr. E. VILLIERS:** I move that the question be now put.

**Mr. PRESIDENT:** You must give the Government member an opportunity for replying.

The motion that the demand of Rs. 2,91,000 under the head "26C.—District Executive Force—Temporary District Intelligence Staff" be refused was then put and lost.

**Babu AMULYA DHONE ADDY:** May I be permitted to move the amendment standing in the name of Maulvi Zannoor Ahmed, as it appears that the member is absent?

**Mr. PRESIDENT:** Did you not hear my ruling that there was no right on the part of any member to be allowed to move a motion in the absence of a mover?

**Babu AMULYA DHONE ADDY:** I know that, Sir. But I want your special permission.

**Mr. PRESIDENT:** What is the ground for your asking for special permission?

**Babu AMULYA DHONE ADDY:** As it appears that the member in whose name the motion stands is absent and as it is an amendment which I like to support, I want your special permission.

**Mr. PRESIDENT:** The fact that the member is absent is no ground at all for special permission being given to you to move it. Have you any other grounds?

**Babu AMULYA DHONE ADDY:** No, Sir.

**Mr. PRESIDENT:** Then I cannot allow you to move it.

**Dr. H. W. B. MORENO:** May I have your special permission, Sir, to move the amendment standing in the name of Babu Bejoy Krishna Bose, who is absent? When I was previously speaking on police questions and Anglo-Indians, you stated that I would have ample opportunity of speaking on the matter when the proper occasion came. May I take advantage of this motion, Sir, and say what I have got to say?

**Mr. PRESIDENT:** Dr. Moreno, you will have an opportunity of stating your views in connection with the main grant.

**Dr. H. W. B. MORENO:** Very well, Sir.

The following motions were called but not moved:—

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 2,91,000 under the head '26C.—District Executive Force—Temporary District Intelligence Staff' (page 97, Civil Estimate) be reduced by Rs. 50,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 75,39,000 under the head '26C.—District Executive Force—District Police—Salaries and Police Force' (page 96, Civil Estimate) be reduced by Rs. 3,00,000."

**Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 1,43,800 under the head '26C.—District Executive Force—Police Training School' (page 97, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,43,800 under the head '26C.—Police Training School' (page 97, Civil Estimate) be reduced by Rs. 15,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 70,920 under the head '26C.—District Executive Force—Establishment' for Launch Boat and Elephant Establishment (page 97, Civil Estimate) be refused."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 10,00,000 under the head '26C.—District Executive Force' for travelling allowance (page 98, Civil Estimate) be reduced by Rs. 5,00,000."

**Babu AKHIL CHANDRA DATTA:** "That the demand for Rs. 10,00,000 under the head '26C.—District Executive Force' for travelling allowance (page 98, Civil Estimate) be reduced by Rs. 2,00,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 10,00,000 under the head '26C.—District Executive Force District Police—Travelling Allowance' (page 98, Civil Estimate) be reduced by Rs. 20,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,71,000 under the head '26C.—District Executive Force—Clothing Charges' (page 98, Civil Estimate) be refused."

**Maulvi SAYEDUL HOQUE and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be refused."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be reduced by Rs 1,00,00,000."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be reduced by Rs. 61,67,000."

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be reduced by Rs. 50,00,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 1,15,17,000 under the head '26C.—Police—District Executive Force' (page 96, Civil Estimate) be reduced by Rs. 5,17,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be reduced by Rs. 5,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 1,15,17,000 under the head '26C.—District Executive Force' (page 96, Civil Estimate) be reduced by Rs. 1,98,000."

**Maulvi MD. NURUL HUQ CHAUDHURY and SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 3,82,000 under the head '26D.—Special Police' (page 100, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY:** "That the demand of Rs. 3,82,000 under the head '26D.—Special Police' (page 100, Civil Estimate) be reduced by Rs. 2,40,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 3,82,000 under the head 26D.—Special Police' (page 100, Civil Estimate) be reduced by Rs. 2,00,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 3,82,000 under the head '26D.—Police—Special Police' (page 100, Civil Estimate) be reduced by Rs. 1,82,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 2,26,000 under the head '26E.—Police—East Indian Railway Police' (page 102, Civil Estimate) be reduced by Rs. 10,000."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 49,600 under the head '26E.—Assam-Bengal Railway Police—Crime and Order Establishment' (page 103, Civil Estimate) be reduced by Rs. 29,214."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 49,600 under the head '26.—Police—Assam-Bengal Railway Police' (page 103, Civil Estimate) be reduced by Rs. 5,000."

**Maulvi MD. NURUL HUQ CHAUDHURY and Babu MANMATHA NATH ROY:** "That the demand of Rs. 7,16,000 under the head '26E.—Railway Police' (page 101, Civil Estimate) be refused."

**Babu AKHIL CHANDRA DATTA and SHAH SYED EMDADUL HAQ:** "That the demand for Rs. 25,800 under the head '26F.—Criminal Investigation Department for Deputy Inspector-General' (page 104, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 25,800 under the head '26F.—Criminal Investigation Department—Pay of Officers—Deputy Inspector-General' (page 104, Civil Estimate) be reduced by Re. 1."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 27,940 under the head '26F.—Criminal Investigation Department—Pay of Officers—Other Gazetted Officers' (page 104, Civil Estimate) be reduced by Rs. 18,140."

**Babu AKHIL CHANDRA DATTA:** "That the demand for Rs. 27,940 under the head '26F.—Criminal Investigation Department —Other Gazetted Officers' (page 104, Civil Estimate) be reduced by Rs. 17,940."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 27,940 under the head '26F.—Criminal Investigation Department—Pay of Officers—Other Gazetted Officers' (page 104, Civil Estimate) be reduced by Rs. 4,000."

**Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR and Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 3,36,620 under the head '26F.—Criminal Investigation Department—Temporary Force' (page 105, Civil Estimate) be refused."

**Babu AKHIL CHANDRA DATTA:** "That the demand for Rs. 3,36,620 under the head '26F.—Criminal Investigation Department for Temporary Force' (page 105, Civil Estimate) be reduced by Rs. 2,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 96,000 under the head '26F.—Criminal Investigation Department —Travelling Allowance' (page 105, Civil Estimate) be refused."

**Dr. KUMUD SANKAR RAY:** "That the demand of Rs. 96,000 under the head '26F.—Criminal Investigation Department' for travelling allowances (page 105, Civil Estimate) be reduced by Rs. 50,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 96,000 under the head '26F.—Criminal Investigation Department—Travelling Allowance' (page 105, Civil Estimate) be reduced by Rs. 6,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** "That the demand of Rs. 10,000 under the head '26F.—Criminal Investigation Department —Rewards' (page 105, Civil Estimate) be refused."

**Mr. N. C. SEN, Maulvi MD. NURUL HUQ CHAUDHURY, Dr. KUMUD SANKAR RAY, SHAH SYED EMDADUL HAQ, Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR and Babu AKHIL CHANDRA DATTA:** "That the demand for Rs. 1,00,000 under the head '26F.—Criminal Investigation Department—Secret Service Money' (page 105, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,00,000 under the head '26F.—Criminal Investigation Department—Secret Service Money' (page 105, Civil Estimate) be reduced by Rs. 40,000."

**SHAH SYED EMDADUL HAQ and Maulvi ZANNOOR AHMED:** "That the demand of Rs. 1,00,000 under the head '26F.—Criminal Investigation Department—Secret Service Money' (page 105, Civil Estimate) be reduced by Rs. 25,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,00,000 under the head '26F.—Criminal Investigation Department—Secret Service Money' (page 105, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HAQ CHAUDHURY, Maulvi SAYEDUL HOQUE and Babu MANMATHA NATH ROY:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be refused."

**Babu KHAGENDRA NATH GANGULY and Dr. PRAMATHA-NATH BANERJEA:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 5,00,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 4,58,897."

**Babu SUDARSAN CHAKRAVORTY, Babu BORODA PROSAD DEY and Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 3,00,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 9,79,000 under the head '26F.—Police—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 2,50,000."

**Maulvi WAHED HOSSAIN:** "That the demand for Rs. 9,79,000 under the head '26F.—Police—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 2,29,000."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 9,79,000 under the head '26F.—Police—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 2,24,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 1,75,000."

**Babu MONMOHON NEOGI:** "That the demand of Rs. 9,79,000 under the head 26F.—Criminal Investigation Department (page 105, Civil Estimate) be reduced by Rs. 1,58,900."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 9,79,000 under the head '26F.—Police—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 1,50,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 9,79,000 under the head '26F.—Criminal Investigation Department' (page 105, Civil Estimate) be reduced by Rs. 24,000."

**Dr. KUMUD SANKAR RAY:** "That the demand of Rs. 70,000 under the head '26H.—Works' (page 105, Civil Estimate) be refused."

**Babu SUDARSAN CHAKRAVORTY:** "That the demand for Rs. 70,000 under the head '26.—Police—Works' (page 105, Civil Estimate) be reduced by Rs. 40,000."

**Babu SATCOWRIPATI ROY, Mr. KIRAN SANKAR ROY, Babu ROMESH CHANDRA BACCHI, Mr. J. M. SEN GUPTA, SHAH SYED EMDADUL HAQ, Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMATHA NATH ROY, Babu MANMOHON NEOGI and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 1,70,12,000 under the head '26—Police' (page 90, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 1,70,12,000 under the head '26.—Police' (page 90, Civil Estimate) be reduced by Rs. 20,00,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 1,70,12,000 under the head '26.—Police' (page 90, Civil Estimate) be reduced by Rs. 10,00,000."

**Bbau MANMATHA NATH ROY:** "That the demand of Rs. 1,70,12,000 under the head '26.—Police' (page 90, Civil Estimate) be reduced by Rs. 9,76,000."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 1,70,12,000 under the head '26.—Police' (page 90, Civil Estimate) be reduced by Rs. 6,00,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,70,12,000 under the head '26.—Police' (page 90, Civil Estimate) be reduced by Rs. 3,00,000."

**Dr. H. W. B. MORENO:** I move the motion standing in the name of Shah Syed Emdadul Haq that the demand of Rs. 1,70,12,000 under the head "26.—Police" be reduced by Re. 1.

I am sorry, Sir, that I have to speak on a motion which recommends a token cut in the Police Budget, but there is no help for it. I wish

it to be taken as laying before you a grievance of the Anglo-Indian community that I represent here in this Council. I desire to draw the attention of the Hon'ble Sir Hugh Stephenson to the exclusion of Anglo-Indians from the Presidency Police as evidenced in a recent advertisement in the public press. I understand that in the Calcutta Police there are already Anglo-Indians being engaged, but the advertisement for the engaging of sergeants in the Presidency Police is so worded that it has the effect of completely excluding Anglo-Indians from being taken in as sergeants. Now, Sir, we ought to realise that in India there is to be a gradual Indianisation of all the Services and only——

**The Hon'ble Sir HUGH STEPHENSON:** If I intervened at this stage, Sir, and explained to the member what our position is, it might be of use to him before he continues his speech.

The advertisement he refers to asks for candidates for the post of Sergeant and requires a qualification of five years in the Army. The occasion for issuing the advertisement is as follows: There are, as the Council will know, certain armed Inspectors in charge of the armed force. These men must have an adequate knowledge of drilling and of handling armed men. They are promoted from the rank of Sergeant. There are at the present time very few Sergeants in the mufassal districts of Bengal who have these qualifications and who are accustomed to drill an armed force and who would be suitable as armed Inspectors. This is the reason why the Inspector-General of Police issued the advertisement that these special qualifications were required.

As regards the general question——

[At this stage the Swarajist and Independent members returned to the Chamber. There was cheering from the other side of the House and cries of "Shame" from the members returning.]

**Mr. PRESIDENT:** Order, order! Order on both sides of the House, please.

**Babu NALINIRANJAN SARKER:** You are calling "Order, order" Sir, looking at our side only.

**Mr. PRESIDENT:** No, Nalini Babu. I have called both sides to order. If both sides keep quiet and orderly, then only can the business of the House go on. Proceed with your speech, please, Sir Hugh Stephenson.

**The Hon'ble Sir HUGH STEPHENSON:** There is no bar to the employment of Anglo-Indians as Sergeants in the Bengal Police. There are at the present moment 19 Anglo-Indians in the rank of Sergeant out of 46 Sergeants. I think that disposes of the arguments advanced by Dr. Moreno.

**Dr. H. W. B. MORENO:** I am perfectly satisfied with regard to one point, but with regard to the question of Sergeants in the Bengal Police knowing drill, does the Hon'ble Member give me to understand that Anglo-Indians are unable to fill the post of Drill Sergeants in the Presidency Police? Does not their military experience entitle them to drill the police force and non-domiciled Europeans, etc.?

**The Hon'ble Sir HUGH STEPHENSON:** It is not a question of racial distinction. It is simply a question of qualification. When that qualification is held by an Anglo-Indian, he is quite eligible to hold the appointment.

**Dr. H. W. B. MORENO:** I am satisfied, Sir.

The motion was then, by leave of the Council, withdrawn.

**Babu AMULYA DHONE ADDY:** May I have your permission to speak on some of the amendments?

**Mr. PRESIDENT:** You cannot do so now. I called the amendments and none have been moved.

**Babu AMULYA DHONE ADDY:** May I make some general observations on the Police Budget?

**Mr. PRESIDENT:** Very well.

**Babu AMULYA DHONE ADDY:** It appears from the budget that in the case of secret service the amount is gradually increasing. The actual expenditure in the year 1923-24 was about Rs. 50,000, the budget estimate for the current year has been put at Rs. 75,000 and for the next official year it is proposed to spend Rs. 1,00,000, *i.e.*, an increase of Rs. 25,000.

**The Hon'ble Sir HUGH STEPHENSON:** Is the member in order in speaking on motions which have been knocked off?

**Mr. PRESIDENT:** What is your reason for speaking on this matter?

**Babu AMULYA DHONE ADDY:** My contention is this, Sir, that a material reduction can be made on the budget grant for the administration of police. As you have kindly allowed me to make some general observations on the police grant I beg to submit, Sir, that in the case of secret service the amount has materially increased and no explanation has been given as to why this has been so. As regards the district force——

**The Hon'ble Mr. J. DONALD:** I rise on a point of order. Is the member entitled to go back on these items?

**Mr. PRESIDENT:** Amulya Babu, you said that you would talk generally on the police grant, but I find that you are discussing the items concerning some of the amendments which have not been moved.

**Babu AMULYA DHONE ADDY:** But, Sir, I wish to speak generally on the police grant. As regards the district intelligence staff the expenditure for the year 1924-25 amounted to Rs. 72,790, while the budget estimate for the current year is Rs. 1,70,000, while for the budget estimate for the next official year it has been proposed at Rs. 2,00,000 and odd. So we find that the amount of expenditure has been increasing from year to year. From the printed paper which was circulated in the year 1921-22——

**Mr. PRESIDENT:** What I understand you are doing now is that you are talking on the subject-matter of every one of the amendments which have not been moved and I cannot allow you to do that. If you wanted to move a reduction in regard to any of the particular items you could have suggested an amendment on the paper and pressed that. Not having done so you cannot speak on any of these items.

**Babu AMULYA DHONE ADDY:** I am sorry that I was not allowed to move any of these amendments on behalf of the movers.

**Mr. PRESIDENT:** The responsibility does not rest with the Chair. If you wanted to move a reduction on one of these items it was your duty to put an amendment on the paper. But you have not done so.

**Kumar SHIB SHEKHARESWAR RAY:** May I know, Sir, what is now before the Council?

**Mr. PRESIDENT:** Motion No. 668.

**Mr. N. C. SEN:** May I know, Sir, if it is your desire to give us the ruling that was suddenly stopped by you?

**Mr. PRESIDENT:** I must first have an apology from Mr. Banerjee for the disorderly way he treated the Chair. I cannot possibly give my ruling on a point of order, because, first of all, the first thing that is learnt in any assembly is respect to the Chair. If the Chair is treated with disrespect as it was treated, there must be an apology before I can deal with any questions that you may raise.

**Mr. A. C. BANERJEE:** Now that you say, Sir, that I treated you with disrespect, I can assure you that nothing was further from my mind than to treat you with disrespect. I know well how to respect the Chair. But at the same time I always expect courteous treatment from the Chair.

**Mr. PRESIDENT:** That will not do, Mr. Banerjee. That is not an apology which is due to the Chair. You stood up in the middle of my reply and shouted at the Chair. That was a disorderly act on your part and as you do not amend it by an apology in the proper way, you had better leave the question of apology alone.

**Mr. A. C. BANERJEE:** Well, Sir, if I shouted at all, I did so because there was an attempt to howl me down from the other side of the House.

**Mr. PRESIDENT:** I heard that sort of outburst from both sides of the House. If members object to shouting by the other side, they should themselves keep quiet. I hope that both sides will keep order. What do you propose to do now, Mr. Banerjee? Do you wish to apologise unreservedly and in an unqualified manner?

**Mr. A. C. BANERJEE:** All that I want to say is—no one is more anxious to show respect to the Chair than myself. At the same time, I must stand on my rights.

**Mr. PRESIDENT:** I would ask you, Mr. Banerjee, to resume your seat. I cannot accept that sort of apology.

**Mr. N. C. SEN:** May I ask, Sir, if that is——

**Mr. PRESIDENT:** Are you rising on a point of order?

**Mr. N. C. SEN:** I ask for some information.

**Mr. PRESIDENT:** Is it on the point of order?

**Mr. N. C. SEN:** Yes, Sir. My enquiry is not directed to the point regarding Mr. Banerjee but my question refers to the point raised by Mr. Akhil Chandra Datta, asking for your ruling and it is this: whether a certain thing is permissible in this House, namely, an aspersion is cast not on the general force, but when it is said that some members of it do manufacture evidence and that is supported by High Court decisions—whether such a remark can be made in this Council?

[At this stage while the President stood up to speak, Babu Akhil Chandra Datta also stood up.]

**Mr. PRESIDENT:** I am sorry to be obliged to say over and over again that the usual procedure in any assembly is that when the President is on his feet, other members should resume their seats and should not remain standing—that is the elementary convention which seems to be observed everywhere except in this Council. It is rather surprising that hon'ble members on the left side of the House, who

are constantly rising on points of order and are constantly attempting to correct the Chair, should not be aware of this elementary convention.

**Babu AKHIL CHANDRA DATTA:** May I have your ruling, Sir, on the——

**Mr. PRESIDENT:** As I am still on my feet, I cannot permit you to interrupt me. So long as these interruptions go on, I refuse to give any ruling—there must be due respect shown to the Chair and if that is not done, the Chair will not reply to interruptions which it regards as disorderly.

**Babu AKHIL CHANDRA DATTA:** May I now speak?

**Mr. PRESIDENT:** Akhil Babu, you may not. Will you please resume your seat? You are still interrupting the Chair and I will not permit the Chair to be interrupted in this way.

**Maulvi MD. NURUL HUQ CHAUDHURY** (shouting loudly): The tone in which you are addressing the members is such that we cannot take part in the debate—and I say this on behalf of my party.

The member then walked out of the Chamber amidst cries of "Shame, shame" "Order, order."

**Mr. PRESIDENT:** Mr. Sen, we have just witnessed another exhibition of disorderly conduct. With regard to your point, it depends entirely on the nature of the reference made. On the present occasion, the Hon'ble Sir Hugh Stephenson called my attention to a remark which appeared to be of a general character. On the other hand even when references are made and it is alleged that High Court decisions can be quoted in support of them, hon'ble members should be aware that there is such a thing as abusing their privilege as members of Council—that is to say, they must be careful not to introduce cases which are *sub judice* and they must quote the really relevant portion of the ruling and not the portions which may suit their purpose. Subject to these conditions it is not out of order, to say, for instance, that cases A, B, C, D, E and F support decisions so and so; but anything like the general charges that I have been listening to for the last two or three days appear to me to be completely out of order.

**Mr. A. C. BANERJEE:** It seems that I was misunderstood——

**Mr. PRESIDENT:** I cannot listen to you. You have not yet apologised.

**Kumar SHIB SHEKHARESWAR RAY:** May I make an humble submission.

**Mr. PRESIDENT:** What is it?

**Kumar SHIB SHEKHARESWAR RAY:** It appears that there has been some bitter feeling displayed this afternoon; and as our leaders are absent, may I ask, Sir, that you will be pleased to adjourn now?

**Mr. PRESIDENT:** I cannot adjourn now. We have ample work to do this afternoon. And I think we can go on with the business perfectly amicably if members will try to bear in mind that proceedings are, and can be best, conducted in an orderly fashion. Let us now get on with the business and let us try to forget any excitement that may have been created.

**Mr. N. C. SEN:** As we have been told that we do not know how to conduct ourselves and in order that there may not be any unpleasantness in the House and also for our future guidance, I desire further information from you, Sir; and it is this——

**Mr. PRESIDENT:** I do not know what you mean by "unpleasantness in the House". In the House, the first duty of a member is to obey the Chair, no matter whether he believes the Chair to be right or wrong: And no question of unpleasantness can possibly arise if this first duty is done.

**Mr. N. C. SEN:** May I continue, Sir? It is far from my intention to assert that any member has a right to disrespect or disregard the Chair, and I think we have already conducted ourselves in a way which shows that we have enough respect for the Chair.

**Mr. PRESIDENT:** How can I listen to you when there is loud conversation going on in the seats behind you?

**Mr. N. C. SEN:** What I was saying is this: until now I understood that if a member made a statement to the House, that statement was to be accepted. My friend, Mr. Banerjee, stated before you that he did not make any general aspersions on the force—and he was quite definite in his statement that what he wanted to say only referred to certain offices. I want to know whether that statement is to be accepted by the House and by the Chair.

**Mr. PRESIDENT:** The question of the acceptance of that statement depends on whether Mr. Banerjee apologises to me for the disrespectful manner in which he behaved towards the Chair. He has

*not done so and does not think fit to do so. I will not go into any question concerning Mr. Banerjee until he apologises in the proper way.*

*[At this point the same members again walked out of the House.]*

The motion that a sum of Rs. 1,70,12,000, as amended by the Council, be granted for expenditure under the head "26.—Police" was put and agreed to.

27.—PORTS AND PILOTAGE.

**MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald):** I move that a sum of Rs. 5,77,000 be granted for expenditure under the head "27.—Ports and Pilotage" (page 106, Civil Estimate).

As a result of the acceptance of certain recommendations of the Retrenchment Committee in regard to launches the expenditure under this head is very moderate.

The following motion was called but not moved:-

**Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY, Babu ROMES CHANDRA BACCHI, Maulvi MD. NURUL HUQ CHAUDHURY, Mr. J. M. SEN GUPTA, SHAH SYED EMDADUL HAQ and Babu MANMATHA NATH ROY:** "That the demand of Rs. 5,77,000 under the head '27.—Ports and Pilotage' (page 106, Civil Estimate) be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

30. SCIENTIFIC DEPARTMENTS.

**MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. Donald):** I move that a sum of Rs. 24,000 be granted under the head "30.—Scientific Departments" (page 109, Civil Estimate).

The following motion was called but not moved:—

**Mr. J. M. SEN GUPTA:** "That the demand of Rs. 24,000 under the head '30.—Scientific Departments (Reserved)' (page 109, Civil Estimate) be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

31.—EDUCATION.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 1,20,67,000 be granted for expenditure under the head "31.—Education" (page 110, Civil Estimate).

The following motions were called but not moved:—

**Maulvi MD. NURUL HUQ CHAUDHURY:** "*That the demand of* Rs. 25,088 under head '31B.—Education (Reserved)—Government Secondary Schools—Technical Staff' (page 111, Civil Estimate) be reduced by Rs. 10,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 1,43,800 under the head '31B—Education (Reserved)—Secondary—Pay of Officers and Pay of Establishment' (page 110, Civil Estimate) be reduced by Rs. 38,000."

**Babu AKHIL CHANDRA DATTA:** "That the demand of Rs. 3,40,000 under the head '31B.—Education (Reserved) Secondary—for European and Anglo-Indian Education' (page 113, Civil Estimate) be reduced by Rs. 1,40,000."

**Babu AKHIL CHANDRA DATTA:** "That the total demand of Rs. 3,40,000 under the head '31B.—Education (Reserved)—Secondary—for European and Anglo-Indian Education' (page 113, Civil Estimate) be reduced by Rs. 84,000."

**Babu TARAKNATH MUKERJEA:** I move that the demand of Rs. 3,40,000 under the head "31B. Education European and Anglo-Indian Education' (page 113, Civil Estimate) be reduced by Re. 1.

The following motions were called but not moved:

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 5,98,000 under the head '31B.—Education (Reserved) —Secondary' (page 110, Civil Estimate) be reduced by Rs. 99,000."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 3,90,000 under the head '31C.—Education (Reserved)—Direct Grant—for European and Anglo-Indian Primary Education' (page 113, Civil Estimate) be reduced by Rs. 1,30,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 3,90,000 under the head '31C. Education (Reserved)—for European and Anglo-Indian Primary Education' (page 113, Civil Estimate) be reduced by Rs. 50,000."

**Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMATHA NATH ROY and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 11,51,000 under the head '31.—Education (Reserved)' (page 110, Civil Estimate) be refused."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 11,51,000 under the head '31.—Education (Reserved)' (page 110, Civil Estimate) be reduced by Rs. 25,000."

**Dr. PRAMATHANATH BANERJEA, Maulvi SAYEDUL HOQUE, Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** " That the demand of Rs. 11,51,000 under the head '31.—Education (Reserved)' (page 110, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY:** " That the demand of Rs. 5,50,000 under the head '31A.—Education (Transferred)—Grants to Universities—Recurring Grant to Dacca University ' (page 118, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** " That the demand of Rs. 9,00,000 under the head '31A.—Education (Transferred)—Grants to Universities—Dacca University ' (page 118, Civil Estimate) be refused."

**Babu BORODA PROSAD DEY:** " That the demand of Rs. 9,00,000 under the head '31A.—Education—Grants to Universities—Dacca University ' (page 118, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY:** " That the demand of Rs. 9,00,000 under the head '31A.—Education (Transferred)—Grants to Universities—Dacca University ' (page 118, Civil Estimate) be reduced by Re. 1."

**Dr. PRAMATHANATH BANERJEA:** " That the demand of Rs. 12,31,000 under the head '31A.—Education (Transferred)—University—Grants to Universities ' (page 118, Civil Estimate) be reduced by Re. 1."

**Maulvi KADER BAKSH:** " That the demand of Rs. 11,76,000 under the head '31A.—Government Arts Colleges ' (page 119, Civil Estimate) be reduced by Rs. 1,62,000 from the provision for pay of Officers and Contingencies.

**Babu JATINDRA NATH BASU:** " That the demand of Rs. 11,76,000 under the head '31A.—Education ' (page 119, Civil Estimate) be reduced by Re. 1."

**Dr. PRAMATHANATH BANERJEA:** " That the demand of Rs. 3,45,000 under the head '31A.—Education (Transferred)—University—Grants to Non-Government Arts Colleges ' (page 119, Civil Estimate) be reduced by Re. 1."

**Maulvi ZANNDOR AHMED:** " That the demand of Rs. 92,000 under the head '31A.—Education (Transferred)—Training Colleges for Teachers ' (page 121, Civil Estimate) be reduced by Rs. 2,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 8,15,000 under the head '31A.—Education (Transferred)—Government Art Colleges—Pay of Officers' (page 118, Civil Estimate) be reduced by Re. 1."

**Maulvi KADER BAKSH:** "That the demand of Rs. 30,65,000 under the head '31A.—University (Transferred)' (page 44, Budget) from the provision 'Pay of Officers and Pay of Establishment' be reduced by Rs. 91,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 11,31,000 under the head '31B. Education (Transferred)—Government Secondary Schools' (page 122, Civil Estimate) be reduced by Rs. 1,31,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 12,09,000 under the head '31B.—Education (Transferred)—Secondary—Direct grants to Non-Government Secondary Schools' (page 122, Civil Estimate) be reduced by Re. 1."

**Rai SATYENORA NATH ROY CHOUDHURI Bahadur:** "That the demand for Rs. 19,55,000 under the head '31C.—Education (Transferred)' (page 123, Civil Estimate) be reduced by Re. 1."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 23,46,000 under the head '31C.—Education (Transferred)—Primary' (page 123, Civil Estimate) be reduced by Re. 1."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur, Babu BEJOY KRISHNA BOSE, Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 3,92,000 under the head '31D.—Education (Transferred)—Guru Training School' (page 125, Civil Estimate) be refused."

**Babu BORODA PROSAD DEY and Babu MANMOHON NEOGI:** "That the demand of Rs. 1,18,000 under the head '31E.—Education—General—Direction' (page 129, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 1,18,000 under the head '31E.—Direction' (page 129, Civil Estimate) be reduced by Rs. 60,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 78,000 under the head '31E.—Education (Transferred)—Salaries of Inspectors and Inspectresses of Schools' (page 130, Civil Estimate) be reduced by Rs. 8,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur :** "That the demand of Rs. 5,80,000 under the head '31E.—(Transferred)—Education—Inspection—District and Sub-Inspectors' (page 130, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY :** "That the demand of Rs. 7,35,000 under the head '31E.—Education (Transferred)—Inspection—Pay of Officers' (page 128, Civil Estimate) be reduced by Re. 1."

**Maulvi ZANNOOR AHMED :** "That the demand of Rs. 1,90,000 under the head '31E.—Education (Transferred)—Travelling Allowance' (page 130, Civil Estimate) be reduced by Rs. 20,000."

**Babu BEJOY KRISHNA BOSE :** "That the demand of Rs. 11,44,000 under the head '31E.—Education (Transferred)—General—Inspection' (page 130, Civil Estimate) be reduced by Rs. 6,00,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR :** "That the demand of Rs. 11,44,000 under the head '31E.—Education (Transferred)—General—Inspection' (page 130, Civil Estimate) be reduced by Rs. 5,00,000."

**Maulvi KADER BAKSH :** "That the demand of Rs. 11,44,000 under the head '31E.—Inspection' (page 130, Civil Estimate) be reduced by Rs. 3,05,000."

**Babu MANMATHA NATH ROY :** "That the demand of Rs. 11,44,000 under the head '31E.—Education—Inspection' (page 130, Civil Estimate) be reduced by Re. 1."

**Babu MANMOHON NEOGI :** "That the demand of Rs. 1,09,16,000 under the head '31.—Education (Transferred)' (page 110, Civil Estimate) be refused."

**Mr. J. M. SEN GUPTA, Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY and Babu ROMES CHANDRA BACCHI:** "That the demand of Rs. 1,20,67,000 under the head '31.—Education' (page 110, Civil Estimate) be refused."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 1,20,67,000 under the head '31.—Education' (page 110, Civil Estimate be reduced by Rs. 3,89,000."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 1,20,67,000 under the head '31.—Education' (page 110, Civil Estimate be reduced by Rs. 3,00,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 1,20,67,000 under the head '31.—Education' (page 110, Civil Estimate) be reduced by Re. 1."

The motion of Babu Taraknath Mukerjea was then put and lost.

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

32.—MEDICAL.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 45,83,000 be granted for expenditure under the head "32.—Medical" (page 132, Civil Estimate).

The following motions were called but not moved:—

**Dr. KUMUD SANKAR RAY:** "That the demand of Rs. 700 under the head '32A.—Medical Establishment—Superintendence, Hill Allowance' (page 133, Civil Estimate) be refused."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 51,000 under the head '32A.—Medical Superintendence' (page 133, Civil Estimate) be refused."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 4,90,200 under the head '32A.—District Medical Establishment' (page 134, Civil Estimate) be reduced by Rs. 55,000."

**Maulvi KADER BAKSH:** "That the demand of Rs. 15,11,000 under the head '32B.—Presidency Hospitals and Dispensaries' (page 136, Civil Estimate) be reduced by Rs. 1,98,480 from the provision for pay of officers, pay of establishment."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 4,20,000 under the head '32B.—Medical—Presidency Hospitals and Dispensaries—Diet, Clothing and Bedding' be reduced by Rs. 20,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 3,79,300 under the head '32B.—Medical—Presidency Hospitals and Dispensaries—Contract Contingencies' (page 136, Civil Estimate) be reduced by Rs. 9,300."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,94,000 under the head '32B. Medical (Transferred)' for Mufassal Hospitals and Dispensaries' (page 138, Civil Estimate) be reduced by Re. 1."

**Dr. KUMUD SANKAR RAY and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 1,00,000 under the head '32C.—Grants to Calcutta Hospital Nurses' Institute' (page 138, Civil Estimate) be refused."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 1,00,000 under the head '32C.—Medical—Grants to Calcutta Hospital Nurses' Institute' (page 138, Civil Estimate) be reduced by Rs. 40,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 71,160 under the head '32D.—Medical College' for pay of officers, Medical College (page 139, Civil Estimate) be reduced by Re. 1."

**Maulvi MD. NURUL HUQ CHAUDHURY and Babu NALINIRANJAN SARKER:** "That the demand of Rs. 7,48,000 under the head '32E.—Grant to Lunatic Asylums' (page 141, Civil Estimate) be refused."

**Mr. N. C. SEN:** "That the demand of Rs. 7,48,000 under the head '32E.—Lunatic Asylum—Grant to Lunatic Asylums' (page 141, Civil Estimate) be reduced by Rs. 3,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY, Mr. J. M. SEN GUPTA, Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Babu SATCOWRIPATI ROY and Babu ROMES CHANDRA BACCHI:** "That the demand Rs. 45,83,000 under the head '32.—Medical (Transferred)' (page 132, Civil Estimate) be refused."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 45,83,000 under the head '32.—Medical' (page 132, Civil Estimate) be reduced by Rs. 5,00,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 45,83,000 under the head '32. Medical' (page 132, Civil Estimate) be reduced by Rs. 4,22,000."

**Rai HARENDRANATH CHAUDHURI, Babu HEMANTA KUMAR SARKAR, Maulvi AFTAB HOSSAIN JOARDAR and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 45,83,000 under the head '32.—Medical (Transferred)' (page 132, Civil Estimate) be reduced by Re. 1."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

33.—PUBLIC HEALTH.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 25,07,000 be granted for expenditure under the head "33.—Public Health" (page 142, Civil Estimate).

**Kumar SHIB SHEKHARESWAR RAY:** The members on this side of the House are not present and I ask, is this fair to the opposition?

**Mr. PRESIDENT:** Kumar Sahib, I cannot compel the attendance of any member. On a previous occasion I was asked to compel the attendance of the Chief Secretary and replied that I could not do so. If members absent themselves, that is not my responsibility. There is a quorum present and that is all we require.

**Kumar SHIB SHEKHARESWAR RAY:** In that case may I request the Hon'ble Member-in-charge not to move these motions to-day. It is not quite fair. In view of certain circumstances the members of this side of the House have absented themselves and it would be gallant on the part of the Hon'ble Member-in-charge to consent to the adjournment of the House to-day.

**Mr. PRESIDENT:** The Member-in-charge cannot consent to the adjournment of the House. That matter rests with the Chair. As I said before I cannot compel the attendance of any member. If the members on my right were absent I could not adjourn the House on that account. The unfairness of that is apparent In that case the first people to object would have been the members on my left.

**Kumar SHIB SHEKHARESWAR RAY:** Another point. Suppose all these members who are absent now are to come here and begin to make disturbances in that case what would happen?

**Mr. PRESIDENT:** We shall deal with that when it occurs. I am quite prepared for it.

The following motions were called but not moved:

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs 6,64,000 under the head '33A.—Public Health Establishment' (page 143, Civil Estimate) be refused."

**Maulvi KADER BAKSH:** "That the demand of Rs. 6,64,000 under the head '33A.—Public Health Establishment' (page 143, Civil Estimate) be reduced by Rs. 1,17,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 6,64,000 under the head '33A.—Public Health Establishment (page 143, Civil Estimate) be reduced by Rs. 1,00,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 6,64,000 under the head '33A.—Public Health Establishment' (page 143, Civil Estimate) be reduced by Rs. 20,000."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 50,000 under the head '33.—Public Health—Anti-malarial Measures' (page 55, Budget) be reduced by Re. 1."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 25,000 under the head '33.—Public Health—Anti-Kala-Azar Survey' (page 55, Budget) be reduced by Re. 1."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 2,44,000 under the head '33B.—Public Health' for expenses in connection with epidemic diseases (page 146, Civil Estimate) be reduced by Re. 1."

**Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY, Babu ABANISH CHANDRA RAY, Maulvi MD. NURUL HUQ CHAUDHURY and Mr. J. M. SEN GUPTA:** "That the demand of Rs. 25,07,000 under the head '33.—Public Health (Transferred)' (page 142, Civil Estimate) be refused."

**Dr. PRAMATHANATH BANERJEA, Rai HARENDRANATH CHAUDHURI, Maulvi SAYEDUL HOQUE and Babu BEJOY KRISHNA BOSE:** "That the demand of Rs. 25,07,000 under the head '33.—Public Health (Transferred)' (page 142, Civil Estimate) be reduced by Re. 1."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

34.—AGRICULTURE.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 18,38,000 be granted for expenditure under the head "34—Agriculture" (page 147, Civil Estimate).

**Maulvi SAYYED SULTAN ALI:** In connection with this item I would like to say a few words by way of general observation. Sir, it is known throughout the world that Bengal is the granary of India, if not of the whole world. If that be so, the people of this province have got a prior claim to the use of the rice that is produced in Bengal for their own consumption. The price of rice has gone so high in the crop season of the present year that I was in a mood to move a resolution in this Council to draw the attention of His Excellency the Governor-General in Council to put a stop to the export of rice in view of the fact that the price of rice at the present time is equal to that of famine price; and even under the circumstances, if export of rice be allowed beyond India, millions of population of this country, more particularly of Bengal, will certainly die of starvation in the rainy season. Sir, as no time has been allotted to us for discussion of any resolution in this connection, I, on behalf of the people

of this province, beg to draw the attention of His Excellency the Governor-General in Council to put a stop to the export of rice in view of the high price of rice at the present time.

**Mr. E. VILLIERS:** May I draw the attention of Government to the condition of the Inspectors of Co-operative Societies? For the last 20 years they have received no increment. I, however, beg to withdraw my motion.

**The Hon'ble Mr. J. DONALD:** I can assure Mr. Villiers that their case will not be forgotten.

The following motions were called but not moved:—

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 3,17,000 under the head '34A.—Agriculture—Veterinary Charges (Transferred)' (page 147, Civil Estimate) be refused."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 16,000 under the head '34B. Agriculture (Transferred) Other Supervising Staff Pay of Officers' (page 155, Civil Estimate) be refused."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 3,32,000 under the head '34B.—Agriculture Other supervising staff' (page 155, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 10,28,000 under the head '34B.—Agriculture' (page 151, Civil Estimate) be reduced by Rs. 1,25,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 10,28,000 under the head '34B.—Agriculture (Transferred)' (page 151, Civil Estimate) be reduced by Rs. 1,00,000."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 10,28,000 under the head '34B Agriculture' (page 151, Civil Estimate) be reduced by Rs. 75,000."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 10,28,000 under the head '34B.—Agriculture' (page 151, Civil Estimate) be reduced by Rs. 28,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 19,800 under the head '34C.—Co-operative Credit—Registrar' (page 159, Civil Estimate) be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 19,800 under the head '34C.—Co-operative Credit—Registrar' (page 159, Civil Estimate) be reduced by Rs. 13,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 63,300 under the head '34C.—Co-operative Credit—Other Gazetted Officers' (page 159, Civil Estimate) be reduced by Rs. 56,000."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 4,93,000 under the head '34C.—Co-operative Credit' (page 158, Civil Estimate) be reduced by Rs. 1,00,000."

**Dr. H. W. B. MORENO:** "That the demand of Rs. 4,93,000 under the head '34C.—Co-operative Credit' (page 158, Civil Estimate) be reduced by Rs 10."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 4,93,000 under the head '34C.—Agriculture—Co-operative Credit' (page 158, Civil Estimate) be reduced by Re. 1."

**Babu ABANISH CHANDRA RAY, Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY, Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY, Maulvi SAYEDUL HOQUE and Babu MANMATHA NATH ROY:** "That the demand of Rs. 18,38,000 under the head '34.—Agriculture (Transferred)' (page 147, Civil Estimate) be refused."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 18,38,000 under the head '34.—Agriculture' (page 147, Civil Estimate) be reduced by Rs. 2,00,000."

**Rai HARENDRANATH CHAUDHURI and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 18,38,000 under the head '34.—Agriculture (Transferred)' (page 147, Civil Estimate) be reduced by Re. 1."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

35.—INDUSTRIES.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 9,92,000 be granted for expenditure under the head "35. Industries" (page 160, Civil Estimate).

**Mr. F. E. JAMES:** May I ask one question of a general character. It is this: It would save time if the hon'ble member answers my question here. It is with reference to the grant to the Technical School in Corporation Street. I should like to ask why the amount has not been included in the Industrial Budget of this year for that purpose. Secondly I should like to ask whether it is contemplated,

should the Corporation agree to a grant, to include that amount in the supplementary estimate which will come later on in the year. If the Hon'ble Member will explain the situation, I should be very much obliged.

**The Hon'ble Mr. J. DONALD:** The present position in regard to the Calcutta Technical School is that land has been acquired and the buildings for the school have been completed. It is now for the governing body to satisfy Government with a comprehensive and solvent scheme for the management of the school. The governing body submitted a scheme early last year which was defective in its financial aspect and was dependent on anticipated contributions from the Port Commissioners and the Calcutta Corporation, the former of which has since been refused and the latter is still undecided. Before the school is made over to the governing body, it is necessary that a revised scheme should be prepared so that the expenditure is balanced by total estimated revenue (including proposed Government grant-in-aid).

When the revised scheme is received from the governing body and finally approved by Government early steps will be taken to provide the necessary funds, if possible, by a supplementary demand next year.

The following motions were called but not moved:

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 24,000 under the head '35A(*a*).—Industries (Reserved)' for Electric Adviser (page 161, Civil Estimate) be refused."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 24,000 under the head '35A(*a*).—Industries Electric Advisor' (page 161, Civil Estimate) be reduced by Rs. 14,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 24,000 under the head '35A(*a*).—Industries (Reserved)' (page 161, Civil Estimate) be reduced by Re. 1."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 2,86,000 under the head '35A.—Industries (Reserved)' (page 59, Budget) be refused."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 24,000 under the head '35A(*b*).—Industries (Transferred) Direction Pay of Officers' (page 162, Civil Estimate) be refused."

**Mr. N. C. SEN:** "That the demand of Rs. 24,000 under the head '35A(*b*).—Industries (Transferred) Direction Pay of Officers' (page 162, Civil Estimate) be reduced by Rs. 12,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 12,000 under the head '35A(*b*).—Industries (Transferred)—Inspection—Pay of Officers' for Inspector (page 164, Civil Estimate) be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 6,83,000 under the head '35A(*b*).—Industries (Transferred)' (page 162, Civil Estimate) be reduced by Rs. 50,000."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 6,83,000 under the head '35A(*b*).—Industries (Transferred)' (page 162, Civil Estimate) be reduced by Re. 1."

**Babu JOGINDRA CHANDRA CHAKRAVARTI:** "That the demand of Rs. 7,07,000 under the head '35A.—Industries' (page 160, Civil Estimate) be refused."

**Dr. KUMUD SANKAR RAY, Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Babu ABANISH CHANDRA RAY, Maulvi MD. NURUL HUQ CHAUDHURY, Mr. J. M. SEN GUPTA and Babu MANMATHA NATH ROY:** "That the demand of Rs. 9,92,000 under the head '35.—Industries (Reserved and Transferred)' (page 160, Civil Estimate) be refused."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 9,92,000 under the head '35.—Industries' (page 160, Civil Estimate) be reduced by Rs. 50,000."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 9,92,000 for expenditure under the head '35.—Industries (Reserved and Transferred)' (page 160, Civil Estimate) be reduced by Re. 1."

**Babu HEMANTA KUMAR SARKAR:** That the demand of Rs. 7,06,000 under the head "35.—Industries (Transferred)" (page 59, Budget), be reduced by Rs. 100.

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

## Adjournment.

At 5-45 P.M. the Council was adjourned till 3 P.M. on Thursday, the 26th March 1925, at the Town Hall, Calcutta.

## Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 26th March, 1925, at 3 P.M.

### Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, and 63 nominated and elected members.

### Starred Questions

### (to which oral answers were given).

### Dredger "Burdwan."

***L. Mr. N. C. SEN:** Will the Hon'ble the Member in charge of Department of Irrigation be pleased to state

(*i*) whether the dredger "Burdwan" conforms to the specifications that were drawn up for it before purchase;

(*ii*) whether it was one of the terms of the contract that the dredger should be maintained on trial by the contractors for a certain period;

(*iii*) if so, whether this was done;

(*iv*) if that was not done, the reasons therefor; and

(*v*) whether it is a fact that this dredger (*A*) has practically done no work, and (*B*) is incapable of doing the work required of it; and

(*vi*) whether it is a fact that the money spent on it has practically been thrown away?

**MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Bahadur Kshaunish Chandra Ray, of Nadia):** (*i*) Yes.

(*ii*) Yes.

(*iii*) Yes.

(*iv*) Does not arise.

(*v*) (*A*) The dredger was in commission for about six months, subsequent to which she was laid up for want of funds.

(*B*) The dredger has not yet been employed in the class of work for which she was purchased, which is the silt clearance of canals.

(*vi*) No.

**Proposed building for Bengal Legislative Council.**

***LI. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble the Minister in charge of Department of Public Works be pleased to state what steps are being taken for the proposed new building for the Legislative Council?

(*b*) Is there any proposal at present before the Government? If so, what stage has it reached?

(*c*) What would be the approximate cost of the proposed buildings?

(*d*) Is the Hon'ble the Minister aware that the present arrangements are very unsatisfactory?

**The Hon'ble Mr. J. DONALD:** (*a*) and (*b*) Sketch plans prepared by an architect, Mr. Greaves, in 1922 were accepted by the Government of Bengal, and the project is now in the stage that detailed plans and working drawings remain to be prepared before a start with the work can be made.

(*c*) The approximate cost of the building will be Rs. 22,06,000. The question of proceeding with the project has been kept in abeyance pending an improvement in the financial situation.

With the improvement in the financial situation the question of building a new Council Chamber will now again be taken into consideration.

(*d*) Yes.

**Unstarred Question.**

**(answer to which was laid on the table).**

**Control of Films.**

**46. Mr. F. E. JAMES:** Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*a*) whether he is aware—

(*i*) that films that are passed by the Board of Censors of Bombay or other Indian centres, may be shown in Bengal without passing the Bengal Censor;

(*ii*) that certain films passed by other Indian Censor Boards, recently shown in Bengal, have been objectionable, and would not have passed the Bengal Board of Censors if shown to them in the first place;

(*b*) whether the Government are considering the desirability of taking steps to represent to the Government of India the necessity for—

(*i*) a more consistent standard for the various Censor Boards throughout India and Burma, and

(*ii*) a stricter control over all films coming into the province?

(*c*) If the answer to (*b*) is in the negative, what steps are the Government taking in the matter?

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson):** (*a*) (*i*) Section 7 of the Cinematograph Act II of 1818 as amended to date prescribes that " The certificate of any such authority (viz., licensing authority) shall, save as hereinafter provided, be valid throughout the territories in which the Act is in force ".

The practice in Calcutta is that when a film, which has been passed by another Board in India, is to be shown, the Inspector of Films or one of the members of the Board is deputed to see it at the earliest possible moment, which is usually the first public exhibition of the film. If the Board have previous intimation of the unfitness for the exhibition in Calcutta of the film, which has been certified by another Board, the Board require the exhibitor to show the film to their Inspector before it is publicly exhibited. In the opinion of the Board this practice is working satisfactorily.

(*ii*) In the event of a film passed by the licensing authority in another province being found objectionable in Bengal it is open to the Commissioner of Police, or the District Magistrate, to suspend its exhibition under section 7(5) of the Cinematograph Act, and for the local Government to prohibit it under section 7(6) and (7) of the Act; and this action has been taken in some instances recently.

(*b*) (*i*) The Government of Bengal are not formulating any proposals of this kind.

(*ii*) The Government of Bengal have been examining the question of strengthening the staff of the Board of Film Censors in Calcutta with a view to improving the control exercised by them, and it is hoped that some decision will shortly be reached.

## The Budget of the Government of Bengal for the year 1925-26.

### Demands for grants.

37. MISCELLANEOUS DEPARTMENTS.

The discussion on the demands for grants was then resumed.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 2,36,000 be granted for expenditure under the head " 37.—Miscellaneous Departments ".

The following motions were called but not moved:—

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 86,000 under the head '37A.—Inspector of Factories' for Inspectors and other gazetted officers be refused."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 1,41,000 under the head '37A.—Inspector of Factories' be reduced by Rs. 26,000."

**Babu DEBENDRA LAL KHAN:** "That the demand of Rs. 1,41,000 under the head '37A. Inspector of Factories' be reduced by Rs. 20,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 24,600 under the head '37D.—Miscellaneous—Smoke Nuisances Commission Pay of Officers' for Inspectors' and Secretary's allowances be refused."

**Dr. PRAMATHANATH BANERJEA:** "That the demand of Rs. 39,000 under the head '37D.—Miscellaneous for the Smoke-Nuisances Commission' be refused."

**Maulvi ZANNOOR AHMED:** "That the demand of Rs. 12,000 under the head '37D.—Miscellaneous Pay of Rent Controller' be reduced by Rs. 6,000."

**Maulvi ASIMUDDIN AHAMAD:** "That the demand of Rs. 73,000 under head '37D.—Miscellaneous' be refused."

**Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY, Babu MANMATHA NATH ROY, Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY and Babu ABANISH CHANDRA RAY:** "That the demand of Rs. 2,36,000 under the head '37.—Miscellaneous Departments (Reserved and Transferred)' be refused."

**Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 2,36,000 for expenditure under the head '37.—Miscellaneous Departments' be reduced by Re. 1."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

41. CIVIL WORKS.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 1,02,18,000 be granted for expenditure under the head "41.—Civil Works".

The following motions were called but not moved:—

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 12,000 under the head '41.—Civil Works' for construction of Sub-Registrar's office and quarters, Hasnabad, be refused."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 50,000 under the head '41.—Civil Works' as Reserve for works in connection with Government Houses be refused."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 50,000 under the head '41.—Civil Works' for rearrangement of offices in Writers' Buildings be refused."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur and SHAH SYED EMDADUL HAQ:** "That the demand for Rs. 1,71,000 under the head '41.—Civil Works—District Administration—Extension of Dacca Collectorate' be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 35,000 under the head '41.—Civil Works' for construction of residences for the 2nd and 3rd Officers at Netrakona be refused."
refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 16,000 under the head '41.—Civil Works' for construction of quarters for the Subdivisional Officer at Chandpur be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 12,000 under the head '41.—Civil Works' for construction of a new forms room and conversion of existing rooms into an office at Malda be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 20,000 under the head '41.—Civil Works' for construction of 2nd Officer's quarters at Patuakhali be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 16,000 under the head '41.—Civil Works' for extension of the subdivisional court building at Netrokona be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 73,000 under the head '41.—Civil Works' for construction of subdivisional office at Gopalganj be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 30,000 under the head '41.—Civil Works' for construction of a quadruple munsifi at Chandpur be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 30,000 under the head '41.—Civil Works' for construction of a double munsifi at Rajbari be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 19,000 under the head '41.—Civil Works' for additional accommodation in the record room of the District Judge of Mymensingh be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 30,000 under the head '41.—Civil Works' for construction of a new record room at sadar and certain alterations in the existing civil court building at Rangpur be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 35,000 under the head '41.—Civil Works' for extension of civil court building at Chittagong be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 20,000 under the head '41.—Civil Works' for construction of a single munsifi at Munshiganj be refused."

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 50,000 under the head '41.—Civil Works' for construction of the civil court buildings at Serampore be reduced by Re. 1."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 64,000 under the head '41.—Civil Works' for extension of Asansol Sub-Jail be refused."

**SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 36,000 under the head '41.—Civil Works' for extension of the Naogaon Sub-Jail be refused."

**Babu AKHIL CHANDRA DATTA, Dr. PRAMATHANATH BANERJEA, Babu BORODA PROSAD DEY, SHAH SYED EMDADUL HAQ and Maulvi SAYEDUL HOQUE:** "That the demand for Rs. 40,000 under the head '41.—Civil Works' for construction of barracks for married constables in Jalpaiguri police lines be refused.

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 40,000 under the head '41.—Civil Works' for construction of barracks for 30 married constables in Jalpaiguri police lines be reduced by Re. 1."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 92,000 under the head '41.—Civil Works' for the adoption of the Alms House Buildings for the purpose of the Sukea Street thana be refused."

**Babu BORODA PROSAD DEY and SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 1,00,000 under the head '41—Civil Works' for the construction of Jorasanko police-station building be refused."

**SHAH SYED EMDADUL HAQ and Babu BORODA PROSAD DEY:** "That the demand of Rs. 93,000 under the head '41.—Civil Works' for the rebuilding of the Park Street police-station be refused."

**Dr. PRAMATHANATH BANERJEA, Babu BORODA PROSAD DEY, SHAH SYED EMDADUL HAQ and Maulvi SAYEDUL HOQUE:** "That the demand of Rs. 1,50,000 under the head '41.—Civil Works' for the amalgamation of Bowbazar and Hare Street police-stations be refused."

**Babu BORODA PROSAD DEY and SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 50,000 under the head '41.—Civil Works' for the acquisition of land for Shampukur police-station be refused."

**Dr. PRAMATHANATH BANERJEA, SHAH SYED EMDADUL HAQ and Babu BORODA PROSAD DEY:** "That the demand of Rs. 1,25,000 under the head '41.—Civil Works' for the construction of building for Muchipara police-station be refused."

**SHAH SYED EMDADUL HAQ and Babu BORODA PROSAD DEY:** "That the demand of Rs. 59,000 under the head '41.—Civil Works' for acquisition of land for Burtollah thana be refused."

**Babu BORODA PROSAD DEY and SHAH SYED EMDADUL HAQ:** "That the demand of Rs. 71,000 under the head '41.—Civil Works' for acquisition of land for Taltollah thana be refused."

**Dr. PRAMATHANATH BANERJEA, SHAH SYED EMDADUL HAQ and Babu BORODA PROSAD DEY:** "That the demand of Rs. 1,10,000 under the head '41.—Civil Works' for the acquisition of land and building for the construction of Public Vehicles Department building at Ballyganj be refused."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 1,12,000 under the head '41.—Civil Works' for construction of David Hare Training College and Demonstration School at Ballyganj with subsidiary buildings be reduced by Rs. 50,000."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 1,75,000 under the head '41.—Civil Works' for construction of a new building for the Collegiate School at Chittagong be reduced by Rs. 75,000."

**Babu BORODA PROSAD DEY, Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 92,000 under the head '41.—Civil Works' for construction of Guru Training Schools be reduced by Rs. 50,000."

**Dr. PRAMATHANATH BANERJEA, Maulvi SAYEDUL HOQUE, Babu HEMANTA KUMAR SARKAR, and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 2,27,000 under the head '41.—Civil Works' for the constrution of Nurses' Quarters in the Presidency General Hospital be refused."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 2,27,000 under the head '41.—Civil Works' for construction of nurses' quarters in the Presidency General Hospital be reduced by Rs. 1,00,000."

**Dr. PRAMATHANATH BANERJEA and Babu BORODA PROSAD DEY:** "That the demand of Rs. 41,000 under the head '41.—Civil Works' for electric installation in the nurses' quarters in the Presidency General Hospital be refused."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur:** "That the demand of Rs. 1,54,000 under the head '41.—Civil Works—Medical—Construction of a hostel for students of the Ronaldshay Medical School at Burdwan' be refused."

**Babu HEM CHANDRA NASKER:** "That the demand of Rs. 39,34,000 under the head '41A.—Civil Works—Original Works—Buildings' be reduced by Rs. 8,50,000."

**Rai SATYENDRA NATH ROY CHOUDHURI Bahadur, Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 2,00,000 under head '41.—Civil Works—Communications—Widening and improving Grand Trunk Road from Howrah to Paltaghat' be refused."

**Sir PROVASH CHUNDER MITTER:** I move that the demand of Rs. 2,87,000 under the head "41.—Civil Works" for resurfacing with tar-macadam St. George's Gate Road, Clyde Road, remainder of Hospital Road and Dufferin Road on the Calcutta Maidan be refused.

I do not for a moment suggest that this is not an important work, but we consider that there are other matters of more importance. I would, therefore, ask the Hon'ble Member in charge to give it up this year, and I trust he will kindly do so as we feel that it ought to be given up and the money utilized for some more pressing need of the province.

**Mr. C. C. DEY:** I must oppose this motion for the reason that we have embarked on a general policy of surfacing the roads of the

Maidan with tar-macadam, and this is part of the main scheme which has been going on since 1918. Most of the roads have been completed, there are only a few more remaining and we ask for this amount to finish the whole of the Maidan roads. We hope by this means considerably to reduce the cost of maintenance. It is well known that all the roads in Calcutta have, within the last few years, been surfaced with a more durable material than the old water-bound macadam, which costs a very great deal of money to repair. This material which, in the case of the Maidan roads is tar-macadam and in the case of the Corporation roads is asphaltum, costs very much less to keep in repair than water-bound macadam. The amount seems large to begin with, but as it will, in fact, later on reduce the maintenance charges, I propose that the full amount should be retained in the budget. If there is any special urgency for funds for other works, I would be willing to reduce it by a sum of half a lakh, but, if not, I would ask that it should be retained.

**Sir PROVASH CHUNDER MITTER:** May I ask in regard to this matter, if it is held up for another year, what will be the loss?

**Mr. C. C. DEY:** There would be no harm in delaying it for a year; but we want the money in order to finish the project which we have started. If there is no special urgency for funds elsewhere there appears to be no reason why this work should be delayed.

**Sir PROVASH CHUNDER MITTER:** We want the money to be utilized for rural water-supply and other rural needs which are a great deal more important than this matter. I do not wish to press it to a division. I understand the difficulties of Mr. Dey as there is no Minister in charge of the Department. I would, however, ask him to place our suggestion before His Excellency who is in temporary charge of the Department. I am making this suggestion on behalf of the Liberal-National party of the Legislative Council and as their spokesman. Of the various rural needs we desire to specify rural water-supply and *kala-azar*.

With these remarks I beg leave to withdraw the motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 3,00,000 under the head '41.—Civil Works' for the improvement of the Mainaguri-Dhupguri Road be refused."

**Babu BORODA PROSAD DEY:** "That the demand of Rs. 3,00,000 under the head '41.—Civil Works' for improvement of Mainaguri-Dhupguri Road, including construction of Lower Jaldhaka bridge and subdivisional building be reduced by Rs. 1,00,000."

**Mr. N. C. SEN :** "That the demand of Rs. 9,27,000 under the head '41A.—Original Works—Communications' be reduced by Rs. 2,87,000."

**Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY, Babu ABANISH CHANDRA RAY, SHAH SYED EMDADUL HAQ, Maulvi MD. NURUL HUQ CHAUDHURY, Mr. J. M. SEN GUPTA and Babu MANMATHA NATH ROY :** "That the demand of Rs. 1,02,18,000 under the head '41.—Civil Works' be refused."

**SHAH SYED EMDADUL HAQ :** "That the demand of Rs. 1,02,18,000 under the head '41.—Civil Works' be reduced by Rs. 60,00,000."

**Babu MALINIRANJAN SARKER :** "That the demand of Rs. 1,02,18,000 under the head '41.—Civil Works' be reduced by Rs. 45,00,000."

**Dr. PRAMATHANATH BANERJEA :** "That the demand of Rs. 1,02,18,000 under the head '41.—Civil Works' be reduced by Rs. 28,00,000."

**Babu BEJOY KRISHNA BOSE :** "That the demand of Rs. 1,02,18,000 under the head '41.—Civil Works (Transferred)' be reduced by Rs. 20,00,000."

**Babu AKHIL CHANDRA DATTA :** "That the total demand for Rs. 1,02,18,000 under the head '41.—Civil Works' be reduced by Rs. 3,27,000."

**Babu DEBENDRA LAL KHAN :** "That the demand of Rs. 1,02,18,000 under the head '41A.—Civil Works' be reduced by Rs. 2,00,000."

**Babu JATINDRA NATH BASU:** "That the demand of Rs. 1,02,18,000 under the heading '41A.—Civil Works' be reduced by Re. 1."

**Babu HEMANTA KUMAR SARKAR:** "That the demand of Rs. 98,21,000 under the head '41.—Civil Works (Transferred)' (page 63, Budget), be reduced by Rs. 100."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

43.—FAMINE RELIEF AND INSURANCE.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 50,000 be granted for expenditure under the head "43.—Famine Relief and Insurance".

The following motion was called but not moved:—

**Mr. J. M. SEN GUPTA:** "That the demand of Rs. 50,000 under the head '43.—Famine Relief and Insurance (Reserved)' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed

45.—SUPERANNUATION ALLOWANCES AND PENSIONS.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 50,00,000 be granted for expenditure under the head "45.—Superannuation Allowances and Pensions".

The following motions were called but not moved:—

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 44,00,000 under the head '45.—Superannuation Allowances and Pensions—Superannuation and Retired Allowances' be refused."

**Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY, Babu ABANISH CHANDRA RAY, Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY and Babu MANMATHA NATH ROY:** "That the demand of Rs. 50,00,000 under the head '45.—Superannuation Allowances and Pensions' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed

46.—STATIONERY AND PRINTING.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 16,12,000 be granted for expenditure under the head "46.—Stationery and Printing".

The following motions were called but not moved:—

**Babu TARAKNATH MUKERJEA:** "That the demand of Rs. 7,05,000 under the head '46.—Stationery and Printing—Stationery supplied from central stores' be reduced by Rs. 1,05,000."

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 8,05,000 under the head '46A.—Government Presses (Reserved)' be reduced by Re. 1."

**Mr. KIRAN SANKAR ROY, Babu MANMOHON NEOGI, Dr. KUMUD SANKAR RAY, Babu ABANISH CHANDRA RAY, Mr. J. M. SEN GUPTA, Maulvi MD. NURUL HUQ CHAUDHURY**

**and Babu MANMATHA NATH ROY:** "That the demand of Rs. 16,12,000 under the head '46.—Stationery and Printing' be refused."

**Babu NALINIRANJAN SARKER:** "That the demand of Rs. 16,12,000 under the head '46.—Stationery and Printing' be reduced by Rs. 50,000."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 16,12,000 under the head '46.—Stationery and Printing' be reduced by Rs. 36,000."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

47.—MISCELLANEOUS.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 3,60,400 be granted for expenditure under the head "47.—Miscellaneous".

The following motions were called but not moved:—

**Babu HEMANTA KUMAR SARKAR and Maulvi AFTAB HOSSAIN JOARDAR:** "That the demand of Rs. 4,000 under the head '47.—Miscellaneous—Durbar presents and allowances to Vakils' be refused."

**Dr. KUMUD SANKAR RAY:** "That the demand of Rs. 9,000 under the head '47A.—Charges on account of European Vagrants, be refused."

**Babu AKHIL CHANDRA DATTA and Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 1,65,700 under the head '47E.—Miscellaneous and Unforeseen Charges' be reduced by Rs. 1,00,000."

**Maulvi MD. NURUL HUQ CHAUDHURY, Mr. J. M. SEN GUPTA, Babu MANMATHA NATH ROY, Babu MANMOHON NEOGI, Mr. KIRAN SANKAR ROY, Dr. KUMUD SANKAR RAY and Babu ABANISH CHANDRA RAY:** "That the demand of Rs. 3,60,400 under the head '47.—Miscellaneous' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to

51A.—MISCELLANEOUS ADJUSTMENTS BETWEEN THE CENTRAL AND PROVINCIAL GOVERNMENTS.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 12,000 be granted for expenditure under the head "51A.—Miscellaneous Adjustments between the Central and Provincial Governments".

The following motion was called but not moved:—

**Mr. J. M. SEN GUPTA:** "That the demand of Rs. 12,000 under the head '51A.—Miscellaneous Adjustments between the Central and Provincial Governments' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

55.—CONSTRUCTION OF IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS (NOT CHARGED TO REVENUE).

**The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia:** I move that a sum of Rs. 26,000 be granted for expenditure under the head "55. Construction of Irrigation, Navigation, Embankment and Drainage Works (not charged to Revenue)"

The following motion was called but not moved:—

**Mr. J. M. SEN GUPTA:** "That the demand of Rs. 26,000 under the head '55.—Irrigation' be refused."

The motion of the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia was then put and agreed to.

EXPENDITURE IN ENGLAND.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 7,19,000 be granted for expenditure under the head "Expenditure in England".

The following motions were called but not moved:—

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 5,43,000 under the head 'Expenditure in England (Reserved)' be refused."

**Maulvi WAHED HOSSAIN:** "That the demand of Rs. 1,74,000 under the head 'Expenditure in England—Home Charges to be incurred by the High Commissioner (Transferred)' be reduced by Rs. 74,000."

**Babu MANMATHA NATH ROY:** "That the demand of Rs. 1,76,000 under the head 'Expenditure in England (Transferred)' be refused."

**Rai HARENDRANATH CHAUDHURI:** "That the demand of Rs. 7,19,000 under the head 'Expenditure in England—Stores from England and Leave and other Allowances payable in England' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

LOANS AND ADVANCES.

**The Hon'ble Mr. J. DONALD:** I move that a sum of Rs. 7,36,000 be granted for expenditure under the head "Loans and Advances".

The motion was put and agreed to.

[At this stage the Council was adjourned for 15 minutes.]

After the adjournment.

PROROGATION.

**Mr. PRESIDENT:** I have it in command from His Excellency the Governor to announce that the Council stands prorogued.

B. G. Press—9-4-1925—1219M—1,600—E. G. & others.

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